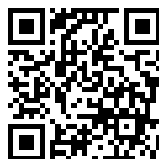
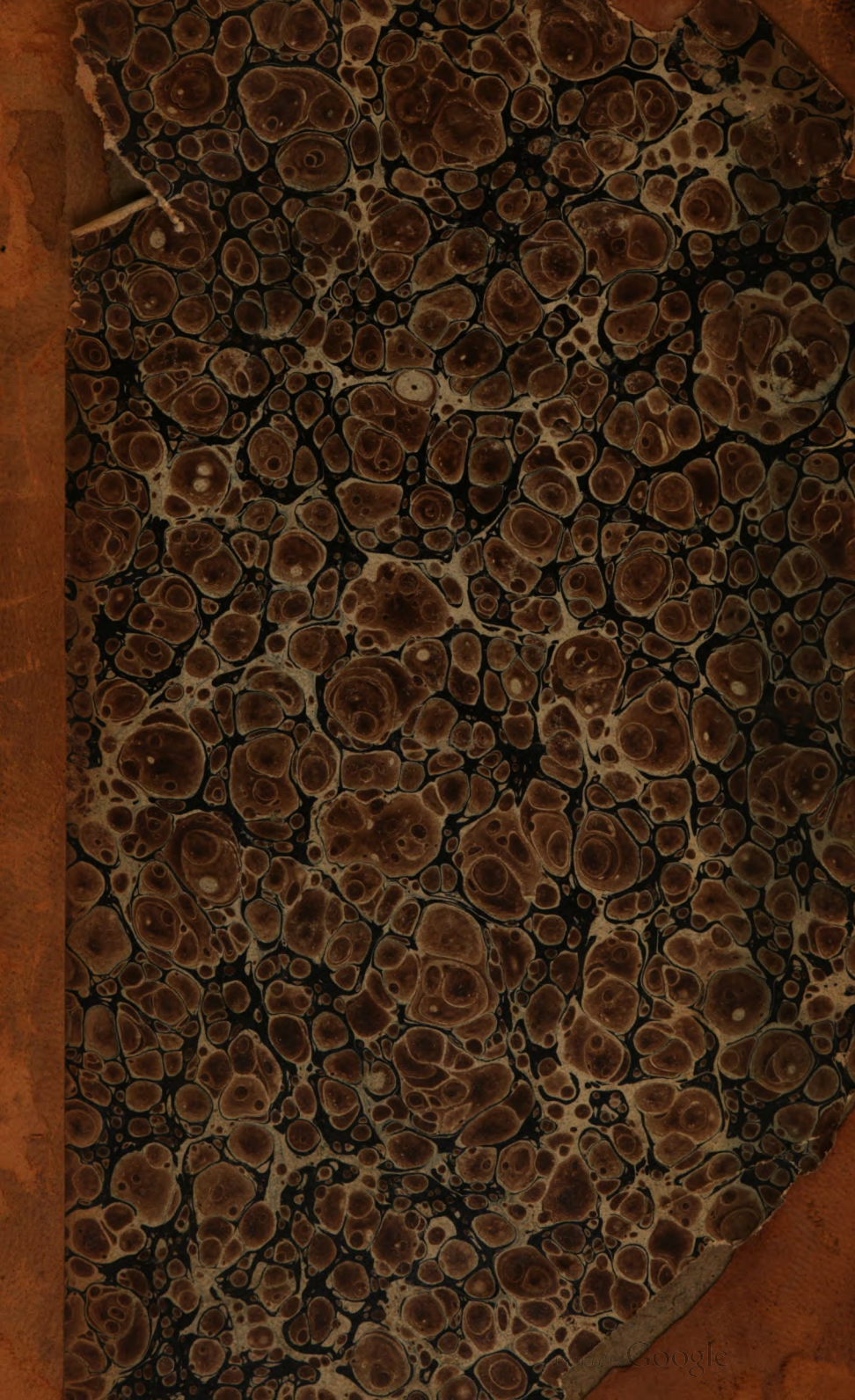

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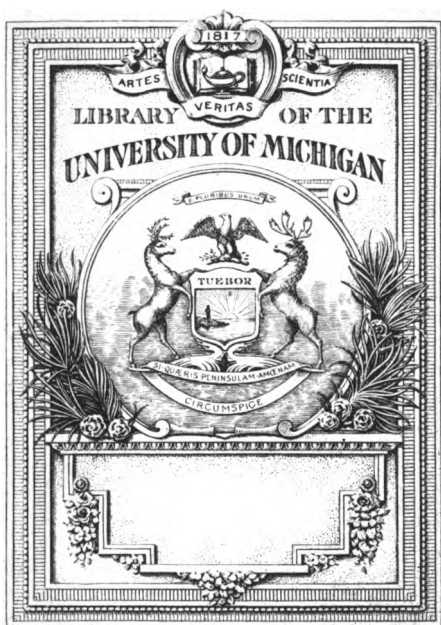
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JOURNAL

OF THE

SENATE

OF THE

FOURTEENTH GENERAL ASSEMBLY

OF THE

STATE OF ILLINOIS,

=

AT THEIR REGULAR SESSION, BEGUN AND HELD AT SPRINGFIELD,

DECEMBER, 2, 1844.

SPRINGFIELD:

WALTERS & WEBER, PUBLIC PRINTERS.

1844.



JOURNAL OF THE SENATE.

At a General Assembly of the State of Illinois, begun and held at Springfield, on Monday, the second day of December, in the year of our Lord one thousand eight hundred and forty-four, being the first session of the fourteenth General Assembly of said State,

The Hon JOHN MOORE, Lieutenant Governor of the State, appeared, took the chair, and called the Senate to order;

Whereupon, the following members appeared and took their seats, viz:

From the counties of Kane, McHenry, Boone, and De Kalb—IRA MILDARD.

From the county of La Salle—M. RYAN.

From the counties of Peoria, Stark and Bureau—W. W. THOMPSON,

From the counties of Rock Island, Henry, Whiteside and Lee—JOHN BUFORD.

From the counties of Schuyler and Brown—J. VANDEVENTER.

From the county of Hancock—J. C. DAVIS.

From the counties of Knox and Mercer—WM. MCMURTRY.

From the county of Pike—T. WORTHINGTON.

From the county of Madison—GEORGE SMITH.

From the counties of Bond, Christian and Montgomery—B. JOHNSON.

From the counties of Coles and Clark—N. PARKER.

From the county of Edgar—N. W. NUNNALLY.

From the counties of Vermilion and Champaign—WM. FITHIAN.

From the counties of Union and Alexander—JOHN DOUGHERTY.

From the county of Gallatin—GEORGE LEVISTON.

From the counties of Pope, Johnson and Hardin—G. W. WATERS.

From the counties of Hamilton, Jefferson and Marion—R. A. D. WILBANKS.

From the counties of Perry, Clinton and Washington—JOHN CRAIN.

From the counties of Winnebago and Ogle—SPOONER RUGGLES.

The following gentlemen presented certificates of their election in the present General Assembly, were qualified and took their seats, viz:

From the counties of Randolph and Monroe—JOSEPH MORRISON.

From the counties of Greene and Calhoun—ALFRED W. CAVARLY.

From the counties of Fayette, Effingham, Clay and a part of Richland—FERRIS FORMAN.

From the county of Sangamon—NINIAN W. EDWARDS.

From the counties of Tazewell, Marshall, Putnam and a part of Woodford—ROBERT BOAL.

From the county of Adams—JACOB SMITH.

From the county of Fulton—DAVID MARKLEY.

From the counties of Macoupin and Jersey—JOHN HARRIS.

From the counties of Warren, McDonough and Henderson—WILLIAM McMILLAN.

From the counties of Cook and Lake—NORMAN B. JUDD.

From the counties of Wayne, Edwards and Wabash—CHARLES H. CONSTABLE.

From the counties of Shelby and Moultrie—PETER WARREN.

From the counties of Scott and Cass—THOMAS M. KILLPATRICK.

From the counties of Will, Du Page and Iroquois—JOEL A. MATTESON.

From the counties of McLean, Macon, Livingston, Piatt and De Witt—GEORGE W. POWERS.

From the county of White—E. B. WEBB.

From the county of Morgan—JOHN HENRY.

From the county of St. Clair—SETH CATLIN.

From the counties of Williamson, Franklin and Jackson—WILLIS ALLEN.

From the counties of Crawford, Lawrence, Jasper and a part of Richland—SAMUEL DUNLAP.

On motion of Mr. Buford,

HENRY W. MOORE, was appointed Secretary, pro tem.

On motion of Mr. Dougherty,

Edward F. Fletcher was appointed Sergeant-at-arms, pro tem.

On motion of Mr. Dougherty,

Ordered, That the Senate do now proceed to the election of a Secretary.

Mr. Buford nominated MERIT L. COVELL;

Mr. Killpatrick nominated E. B. KIRBY;

And thereupon,

The Senate proceeded to vote for Secretary, as follows, viz:

Those who voted for Merit L. Covell, are,

Messrs. Allen, Buford, Catlin, Cavarly, Davis, Dougherty, Dunlap, Forman, Harris, Judd, Leviston, Markley, Matteson, McMillan, McMurry, Minard, Morrison, Nunnally, Parker, Ryan, Smith of Adams, Thompson, Vandeventer, Warren and Wilbanks—25.

Those who voted for E. B. Kirby, are,

Messrs. Boal, Constable, Edwards, Fithian, Henry, Johnson, Killpatrick, Powers, Ruggles, Smith of Madison, Waters, Webb and Worthington—13.

And thereupon,

Merit L. Covell having received a majority of all the votes given, was declared duly elected Secretary of the Senate of the fourteenth General Assembly of the State of Illinois.

On motion of Mr. Dougherty,

Resolved, That the reporters for the State Register, and Sangamo Journal, be admitted to seats on the floor of the Senate.

Lewis B. Wynne, a Senator from the counties of Menard, Logan and Mason, appeared and took his seat.

On motion of Mr. Harris,

The Senate proceeded to the election of a Sergeant-at-arms to the Senate.

Mr. Crain nominated William C. Murphy;

Those who voted for Mr. Murphy, are,

Messrs. Allen, Boal, Buford, Catlin, Cavarly, Constable, Crain, Davis, Dougherty, Dunlap, Fithian, Forman, Harris, Henry, Johnson, Judd, Killpatrick, Leviston, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Nunnally, Parker, Powers, Ruggles, Ryan, Smith of Adams, Smith of Madison, Thompson, Vandeventer, Warren, Waters, Wilbanks, Worthington and Wynne—33.

Those who voted blank, are,

Messrs. Edwards and Webb—2.

And thereupon,

William C. Murphy having received a majority of all the votes given, was declared duly elected Sergeant-at-arms of the Senate of the fourteenth General Assembly of the State of Illinois.

On motion of Mr. Dougherty,

The Senate then proceeded to the election of Enrolling and Engrossing Clerk.

Mr. Wilbanks nominated NOAH JOHNSTON;

And the vote being taken resulted as follows, to wit:

Those who voted for Noah Johnston, are,

Messrs. Allen, Buford, Catlin, Cavarly, Crain, Davis, Dougherty, Dunlap, Fithian, Forman, Harris, Henry, Johnson, Judd, Leviston, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Nunnally, Parker, Powers, Ruggles, Ryan, Smith of Adams, Thompson, Vandeventer, Warren, Waters, Wilbanks, Worthington and Wynne—34.

Those voting blank, are,

Messrs. Boal, Constable, Edwards, Killpatrick, Smith of Madison and Webb—6.

Whereupon,

Noah Johnston having received a majority of all the votes given, was declared duly elected Enrolling and Engrossing clerk to the Senate of the fourteenth General Assembly of the State of Illinois.

On motion of Mr. Dougherty,

Resolved, That the rules of the last Senate be adopted for the government of the present Senate; and,

On the further motion of Mr. Dougherty,

Resolved, That the Secretary inform the House of Representatives that they have met and organized; have elected Merit L. Covell, their Secretary; William C. Murphy, their Sergeant-at-arms, Noah Johnston, their Engrossing and Enrolling clerk, and are now ready to proceed to legislative business.

On motion of Mr. Buford,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Warren offered the following resolution, which, under the rule, lies one day on the table:

Resolved, That Henry W. Moore, be, and he is hereby appointed Assistant Secretary to the Senate.

Mr. Warren moved to dispense with the rule, in order that the resolution be now considered, which motion was lost, three-fourths of the Senate not voting therefor.

A message from the Council of Revision, by Thompson Campbell, Esq.

Mr. Speaker: I am directed by the Council of Revision to lay before the Senate, the following:

The Council of Revision have had under consideration a bill passed at the last session for "An act concerning corporations;" and return it to the Senate as improper to become a law for the following reasons:

The 3d section provides that when final judgment shall be rendered against any corporation in this State, and remain unpaid for the term of twelve months from and after the rendition of the judgment, there being no appeal taken according to law, or the cause removed by writ of error, the non-payment of the judgment for the term aforesaid, shall, in all cases, work a forfeiture of the charter, and all rights accruing therefrom shall cease.

The term "any corporations" would include counties as well as cities, towns, and other corporations, but perhaps the word "charter," at the end of the section, might limit the operation of the act to such corporations as have a technical charter.

It is certain, however, that it would embrace cities, towns, and the various literary, religious, and other corporations, created by special acts of the Legislature. The bill contains no provision for the closing up of the affairs of the defunct corporation. What then will be the consequences of the dissolution of one of these corporations? The rights and remedies of the corporation, as well as its creditors, will be gone; the corporation will no longer have an existence. It can neither sue nor be sued; the debts due to and from the corporation will be extinguished. The creditor cannot reach the property of the corporation. The creditor who has already obtained judgment cannot have execution. What becomes of the property of the corporation? If it held property by donation, it will revert to the donor. If the corporation acquired property by purchase, it will escheat to the State.

These consequences, we presume, were not foreseen by the Legislature; and we deem it proper to return the bill, that it may be amended so as to obviate these objections.

THOMAS FORD,
S. D. LOCKWOOD,
S. H. TREAT,
J. B. THOMAS,
JAS. SHIELDS,
J. D. CATON,
RICHARD M. YOUNG,
THOMAS C. BROWNE.

Dec. 2, 1844,

Mr. Constable moved that the Senate adjourn to 4 o'clock P. M. which motion was lost.

Mr. Davis moved that the Senate adjourn; which was lost.

Mr. Foran moved that the Senate adjourn to 6 o'clock P. M. which was lost.

Mr. Constable moved that the Senate adjourn to 5 o'clock P. M. and

the yeas and nays being demanded thereon, it was decided in the affirmative.

Those who voted in the affirmative are,

Messrs. Boal, Buford, Catlin, Constable, Dougherty, Dunlap, Edwards, Forman, Johnson, Judd, Killpatrick, Leviston, Parker, Powers, Ruggles, Ryan, Smith of Madison, Vandeventer, Wilbanks, Worthington and Wynne—21.

Those who voted in the negative are,

Messrs. Allen, Cavarly, Crain, Davis, Fithian, Henry, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Nunnally, Smith of Adams, and Warren—15.

Thereupon,

The Senate adjourned to 5 o'clock, P. M.

FIVE O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Parker offered for adoption the following resolution, to wit:

Resolved, by the Senate, the House of Representatives concurring herein, That a joint select committee, consisting of two on the part of the Senate, and three on the part of the House of Representatives be appointed to wait upon His Excellency, the Governor, and inform him that the two Houses of the General Assembly have met, organized, and are now ready to receive such communications as his Excellency may have to make; which by a rule of the Senate, lies one day on the table.

On motion,

The Senate adjourned.

TUESDAY, DECEMBER 3, 1844.

The Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. McDonald, Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have adopted the following resolution:

Resolved, That the Clerk inform the Senate, that the House of Representatives has met and organized by electing William A. Richardson, Speaker, Newton Cloud, Principal, and John McDonald, Assistant Clerk, Jarvis Pierce, Principal, and Jefferson Weatherford, Assistant Door-keeper, and are prepared to proceed to Legislative business.

And also that they have adopted the following resolution:

Resolved, by the House of Representatives, the Senate concurring herein, That a joint select Committee of five, three on the part of the House of Representatives, and two on the part of the Senate, be appointed to wait on his Excellency, the Governor, and inform him that the two Houses of the General Assembly have met and organized; and are now ready to receive any communication he may desire to make.

In the passage of which they ask the concurrence of the Senate.

And that they have appointed Messrs. Gregg, Benedict and Parish, as members of said committee on their part.

On motion of Mr. Cavarly,

The last resolution contained in the message from the House of Representatives was taken up, read, and adopted.

Ordered, That Messrs. Cavarly and Parker, be a Committee on the part of the Senate, and that the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Cloud, their Clerk:

Mr. Speaker: I am directed by the House of Representatives, to inform the Senate, that they have adopted the following resolution, viz:

Resolved, By the House of Representatives, the Senate concurring herein, that the joint rules of the two Houses of the last General Assembly be adopted, as the joint rule of the two Houses of the present General Assembly until otherwise ordered. In the passage of which they ask the concurrence of the Senate.

On motion of Mr. Parker,

The resolution contained in the message just received, was read and adopted.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Speaker announced the following standing Committees, to wit:

On Elections.—Messrs. Crain, Catlin, Allen, Boal and Parker.

On School Lands and Education.—Messrs. Thompson, Dougherty, Killpatrick, Nunnally, Ryan, Webb and Powers.

On Internal Improvements.—Messrs. Dougherty, Judd, Leviston, Fithian and Edwards.

On the Judiciary.—Messrs. Cavarly, Dougherty, Davis, Forman, Webb, Allen and Constable.

On Internal Navigation.—Messrs. Harrison, Markley, Smith of Adams, Waters and Worthington.

On Public Roads.—Messrs. Markley, Wilbanks, Dunlap, Ruggles and Vandeventer.

On Canal and Canal Lands.—Messrs. Ryan, Minard, Henry, Leviston and Thompson.

On Finance.—Messrs. Matteson, Buford, Dougherty, Minard and Morrison.

On Public Accounts and Expenditures.—Messrs. Nunnally, Judd, Henry, Wilbanks, Edwards, Smith of Madison and Warren.

On Military Affairs.—Messrs. Warren, McMurtry, Harris, Davis and Worthington.

On Salines and Saline Lands.—Messrs. Leviston, Dunlap, Constable, Fithian and Parker.

On Petitions.—Messrs. Harris, Crain, Waters, Wilbanks, Catlin and Johnson.

On Public Buildings.—Messrs. Wilbanks, Judd, Ruggles, McMillan and Edwards.

On the Penitentiary.—Messrs. Smith of Madison, Catlin, Forman, McMillan and Boal.

On Counties.—Messrs. McMurtry, Killpatrick, Smith of Adams, Morrison and Powers.

On Incorporations.—Messrs. Vandeventer, Allen, Cavarly, Matteson and Johnson.

On Retrenchment.—Messrs. Minard, Judd, Fithian, Catlin and Harrison.

On Enrolled Bills.—Messrs. Parker and Wynne.

Mr. Killpatrick moved the adoption of the following resolution, which by a rule of the Senate lies one day on the table:

Resolved, That the Honorable Speaker of the Senate, invite the Rev. Clergy of the City of Springfield, to open our morning session with prayer—the Clergy of the different Churches to officiate alternately.

The resolution of Mr. Warren, in relation to the appointment of an assistant Secretary to the Senate, was taken up.

Mr. Minard moved to amend the same by striking out the name of Henry W. Moore, and insert George Walker, in lieu thereof.

Mr. Webb called for a division of the question; and the question being first taken upon striking out the name of Henry W. Moore,

It was decided in the negative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Edwards, Forman, Harris, Judd, Matteson, McMillan, McMurtry, Minard, Powers, Vandeventer, Webb, Wilbanks and Wynne—15.

Those voting in the negative, are,

Messrs. Buford, Catlin, Constable, Crain, Davis, Dougherty, Dunlap, Fithian, Henry, Johnson, Killpatrick, Leviston, Markley, Morrison, Ruggles, Smith of Madison, Thompson, Warren, Waters and Worthington—20.

Mr. Smith of Adams, was, upon motion of Mr. Dougherty, excused from voting.

Mr. Constable moved to amend said resolution, by striking out all after the word "Resolved," and insert the following, to wit: "That the necessity of economy in Legislative expenditure during the present session, is urged upon us by the peculiarly embarrassed financial condition of the State; that the interests of the State and business of the Senate do not require the services of an assistant Secretary of the Senate at this time, and that therefore the election of such officer be postponed until the contingency arise when the appointment shall be immediately required.

Mr. Dougherty moved to lay the proposed amendment on the table.

Mr. Cavarly moved to lay the resolution together with said amendment on the table.

And the question being first taken upon laying the resolution and proposed amendment on the table, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Cavarly, Edwards, Fithian, Forman, Harris, Henry, Johnson, Judd, Matteson, McMillan, McMurtry, Minard, Nunnally, Parker, Powers, Ruggles, Smith of Adams, Thompson, Vandeventer, Webb, Wilbanks and Wynne—24.

Those voting in the negative, are,

Messrs. Buford, Catlin, Constable, Crain, Davis, Dougherty, Dunlap, Killpatrick, Leviston, Markley, Morrison, Smith of Madison, Warren, Waters and Worthington—15.

The resolution of Mr. Parker, in relation to the appointment of a joint select committee, for the purpose of waiting upon the Governor, being taken up was,

On motion of Mr. Parker,

Laid on the table.

Mr. Warren moved that the Senate now proceed to the election of an assistant Secretary of the Senate.

Mr. Cavarly moved to lay said motion on the table, which was decided in the affirmative by yeas and nays as follows, viz:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Buford, Cavarly, Constable, Edwards, Fithian, Forman, Harris, Judd, Matteson, McMurtry, Minard, Nunnally, Parker, Powers, Ruggles, Smith of Adams, Thompson, Vandeventer, Webb, Wilbanks and Worthington—23.

Those voting in the negative, are,

Messrs. Catlin, Crain, Davis, Dougherty, Dunlap, Henry, Johnson, Killpatrick, Leviston, Markley, McMillan, Morrison, Smith of Madison, Warren, Waters and Wyune.—16.

Mr. Cavarly, from the joint select committee appointed to wait upon his Excellency, the Governor, made the following report, to wit:

The joint select committee appointed to wait upon his Excellency, the Governor, for the purpose of receiving any communication which the Governor may make to the two Houses, have performed that duty, and have received for answer, that he may lay before the Senate a printed communication at eleven o'clock, this day.

A Message from the Governor, by Thompson Campbell, Esq., Secretary of State, was received and read, as follows:

*Fellow Citizens of the Senate,
and House of Representatives:*

It is with pleasure, that I again meet the representatives of the people, to consult for the welfare of our common constituents; and I am happy to announce to them, that it has pleased an all-wise Providence to continue to us, as a nation, the blessings of peace at home and abroad; the enjoyment of liberty, property, and happiness, secured to us by our venerated republican institutions; and in our own State, an ample sufficiency of the fruits of the earth for general comfort.

If there be any thing, to detract from the brightness of the picture which might be presented of individual and general prosperity, it is, that for the last two seasons, the crops have not been so abundant as usual; considerable amounts of property have been destroyed by high waters, the prevalent sickness has been severer than common the present year; and the people are oppressed with the apprehension of evil from the magnitude of the State debt; but with these abatements, our condition, as a people, might be advantageously compared, with that of many other nations of the earth, whose starving and overwrought inhabitants are suffering from hunger, war, pestilence, famine, or unprofitable toil; and last, though not least, from the oppression of arbitrary and unequal laws, which crush one portion, and that the largest of the people, to make them subservient to a favored few. Indeed, if discontent and repining, should exist amongst us, they could not spring from a state of actual want, but rather from the lack of those superfluities and luxuries, which are less necessary to a comfortable existence, than to please a corrupted imagination.

Since the adjournment of the last General Assembly, the pecuniary affairs of the people, have improved in the most satisfactory manner. The immense amount of private debt, contracted in consequence of an unsound and redundant paper circulation, has been mostly liquidated. A depreciated currency, then universally prevalent, has been withdrawn;

and gold and silver, and the paper of solvent banks have been substituted in its place. Indeed, it is highly satisfactory to observe the great amount of the precious metals, which has been added to the general circulation; thereby giving stability to the currency, and a security to the value of property and labor, unknown for many years before. The exchanges have never been so well regulated in the palmiest days of the United States' Bank; and this result has been brought about by the natural laws of trade, unimpeded by mischievous legislation.

The several acts, putting our local Banks into liquidation, by removing an artificial and mischievous system of currency, have greatly contributed to these results. The great scarcity of money, which was experienced at first, promoted economy in private life. It abolished the system of private credit, which had prevailed to the ruin of thousands, under an expanded paper circulation. These acts also caused the banks to disgorge their specie, which for many years before, had been withheld from the business of the country. And, more than all, these acts have demonstrated to the people, that a currency which is depreciated may be withdrawn from circulation, and a sound one substituted, not only without inconvenience, but with general benefit to all. They have also demonstrated the grand truths, which have been doubted by many, that banks are wholly unnecessary to supply a local currency; that money, will in the main, exist and circulate in every country, in proportion to its exchangeable property; and that local banks, in fact, impede the equalization of the currency, and manifestly tend to derange the exchanges.

Whether local banks, are necessary and expedient, in highly commercial countries, where they can be managed with integrity and ability, and where strict punctuality in the payment of debts, prevails amongst all classes of people, is a question which I do not propose to discuss. But if former experience is to be any guide for the future, we must be satisfied, that we in the State of Illinois, are better without them than with them.

We tried the system, under our Territorial Government. It was a failure. In 1821, we tried a State Bank, under the management of officers appointed by the legislature. It resulted in a loss to the State of about one hundred thousand dollars; and for the space of four or five years the depreciated paper of that Bank supplied our circulation to the exclusion of all other money. We tried the experiment again in 1835, by chartering the late banks, with no better success. And we ought now, to be satisfied, that without a greater and more general punctuality, in the payment of private debts, it will ever be impossible to administer the affairs of a bank with safety to the people. If the debtors and customers of the bank do not pay, it will be impossible for any institution, with the wisest management to maintain specie payments for any great length of time. It is perhaps unnecessary to discuss the subject further. The people of the State have become so thoroughly satisfied of the evils of the system, that if we obey the will of our common constituents, no effort will be made to re-charter any of the existing banks, nor to create new ones.

It will be proper that the representatives of the people should make a thorough examination into the state of these banks, and if they have violated any of the provisions of existing law, apply such remedy as may be needful; if their affairs have been managed prudently and honestly,

suffer them to wind up and go quietly out of existence, according to the terms of the acts providing for putting them into liquidation.

The State property, directed to be sold, by the "Act to provide for the sale of public property, and the payment of the public debt, approved March 4, 1843," has all been appraised, advertised, and offered for sale, according to the provisions of that act.

Sales were not effected so readily as was anticipated. The railroad from Springfield to Meredosia, remains undisposed of, and without more repairs than I can recommend to be made on it, at the expense of the State, must become useless in a few years. I submit to the wisdom of the General Assembly, in case it cannot be sold during the session, to devise some mode of disposing of it, so as to continue its use to the country. Of the two hundred and ten thousand acres of land, donated by Congress, under the distribution law; and the forty-two thousand acres, purchased by the State, under the provisions of the law to establish a system of internal improvements, only seventeen thousand six hundred and twenty-four acres, and ninety-seven hundredths of an acre, have been sold, up to November 11th, 1844. These lands were mostly sold to persons who were, or intended to be, actual settlers; and produced the sum of sixty-five thousand thirty-one dollars and twenty-seven cents, principal and interest, in internal improvement bonds and scrip. A general account of the sales of this and other property will be furnished to the General Assembly.

At the time this law was passed, the scrip and bonds of this State were selling in the market at the rate of about eighteen cents on the dollar. Soon after the adjournment of the last General Assembly, the bonds of the State, rose in price to be worth from forty to forty-six cents on the dollar; which, I have no doubt, was the true cause why no more of the public property was sold. Whether it would be better to continue the sale of these lands, and thereby continue a faint effort to extinguish a portion of the public debt; or whether it would be better to hold them up from sale, until the settlement and improvement of the country shall create a greater demand for them, and enhance their value; are questions which I submit to be determined by the legislature.

On the one hand, if these lands are continued subject to sale, the people who want them for settlement, may be accommodated, the settlement of the country may be promoted, and they would, the sooner become taxable. On the other hand, if the price of bonds should fall, these lands may all be purchased up on speculation; and if they should be withdrawn from the market I have no hesitation in believing that they will increase in value much faster than the State debt will increase by the accumulation of interest, on such part of it, as these lands will extinguish, at present prices.

There has been no revision, or republication of the general statute laws of the State, since the year 1833. Since that time one-third of the State, which was then a wilderness, has been populated. This portion of the people has never been supplied with the statutes, and in many of the older counties the copies of the revision of 1833, are becoming scarce, and almost out of print. There is, perhaps, nothing more imperatively demanded of the legislature than a thorough revision and republication of the statute laws. Most of the standard laws, I apprehend, will require but little revision. They were drawn by the judges of the supreme

court, with great care, and are as near perfection as they could probably be brought during the hurry of a session of the legislature. There are, however, occasional laws passed since, which might be amended with advantage; and such amendments would seem to be required before a general republication shall be authorized,

In pursuance of authority granted to me by the latter part of the 21st section of an act entitled "An act to provide for the completion of the Illinois and Michigan canal, and for the payment of the canal debt," I appointed Michael Ryan and Charles Oakley, commissioners on the part of the State, to proceed to the Eastern cities, and to Europe, with instructions to open a negotiation with the holders of Illinois bonds; and authorized them to pledge the canal, canal lands, and other property pertaining to the canal fund, for a further advance of one million six hundred thousand dollars to complete the canal; and I, also, advanced to each of them, to defray their expenses, the sum of fifteen hundred dollars, from the moneys received by me from the United States, under the act of Congress, entitled "An act to appropriate the proceeds of the sales of the public lands, and to grant pre-emption rights," this being the only money, at the time belonging to the State, and there being a sufficiency besides, to pay the entire interest on the school fund due, for the year 1842.

At one time great hopes were entertained of a successful negotiation. The bondholders in Europe and America agreed to advance the sum of four hundred thousand dollars, to be expended on the canal in the year 1844, upon certain conditions. One of which was, that it should be proved by the examination of competent agents, to be appointed by them, that the representations made by Messrs. Oakley and Ryan, in reference to the canal, the amount of the canal debt, and the value of the property proposed to be pledged, should turn out to be correct. Accordingly Governor Davis and Capt. Swift, of the State of Massachusetts, two gentlemen of high standing for integrity and talents, were appointed by the authority of the bondholders, to make the required examination. These gentlemen did make an elaborate examination and report, highly favorable to the statements of Messrs. Oakley and Ryan—and the bondholders themselves acknowledged that all the conditions, on the part of the State, had been complied with. The security offered by the State was found to be sufficient; but owing to some cause, at present unknown to me, the money has not been paid; the subscriptions have not been made up, and the negotiation may possibly fail.

Great hopes were entertained, that by means of this law, without further pledging the faith of the State, or borrowing any more money, the bondholders would take the canal property and complete the canal. This property honestly belongs to our creditors, for money already advanced. It would, however, be of but little value to them, in the present unfinished condition of the canal. If the law had simply proposed to turn the property over to them in its present condition, without power to finish the canal, I apprehend that we should have done both them and the State the greatest injustice. It was sincerely believed that the provision for finishing the canal, was no less beneficial to them than to us; as it provided for increasing and giving an active value, to the pledge, for the payment of precedent debts.

The probable failure of the negotiations under this law, will leave us in

a condition in regard to the canal, in which it will be easier to foresee the failure, than to predict the success, of any new project.

Some persons have proposed to solicit another donation of land from the General Government; others an appropriation of money direct by Congress, and others again rely upon the distributive share of the State in the proceeds of the public lands. To all which plans there seems to me to be insuperable objections.

The choice lands of the State have already been selected. The 210,000 acres selected in 1842, are better in quality than any which could now be selected. These lands have been in market since April last, on favorable terms, and but few of them have been sold; thus demonstrating, that the sale of such lands is so tardy as to afford but little encouragement to contractors to undertake and progress with the work. The distributive share of the State in the proceeds of the sales of the public lands will be but a small sum at first, compared with the sum demanded for the work, and must necessarily decrease in amount every year as the lands are sold. The sum thus to be raised, if expended directly on the canal, would not complete it in less than sixteen years; and if offered as a security for the payment of interest on a new loan, the very uncertainty of the existence of such a law, being liable at all times to be repealed, or continued at the pleasure of Congress, together with the certainty that the amount to be derived therefrom, must annually diminish, will render the offer of no avail. It cannot be imagined that capitalists would lend money on such security.

There are also objections to a direct appropriation of money, by Congress. It is true that Congress is bound, by compact with the State, to make the National road, and if money could be appropriated to this, and some few other objects of great national importance, such as the Illinois and Michigan canal, harbors on the great Northern lakes, the Mississippi river, and its great tributary streams; if every other portion of the Union would not call for similar and greater appropriations; if no log-rolling should be introduced; if no reckless and extravagant expenditures should be made, merely to secure the local popularity of members of Congress, the principal objections would be obviated. But if there be any thing to be feared, more than another, it is that Congress, some time or other, will enter into a general, wild, and extravagant system of internal improvements, by means of which, if the log-rolling system of some of the States shall be introduced, the General Government, would soon be as much crippled with debt as are those unfortunate States. We may rely upon it that whenever this system shall be again revived in Congress the members there will be as much devoted to its diffusion all over the country, as were, the members of our own legislature. Each one, will desire to do as much for his constituents as he can, not only as an act of patriotic devotion to their interest, but more frequently, to enhance his own popularity. Each one would append his own little neighborhood river or road, and all would be ashamed to return to their constituents without a share in the general scramble.

During the administration of one of our Presidents, a survey was ordered, and a system projected, involving an expenditure of upwards of one hundred millions of dollars. If this had succeeded, it would have been added to, from time to time, until the whole United States would have been as irretrievably ruined as our own State is supposed to be. For-

tunately, however, for the country this most dangerous system was successfully encountered and overthrown by a succeeding administration. I call it dangerous because it manifestly tends to the creation of a large national debt; a debt which, whenever contracted, will prostrate the financial energy, of the whole nation, and throw it manacled and handcuffed, at the mercy of foreign powers.

In forming an opinion on this subject, it is all the time to be remembered, that the confederacy alone, is charged with the war making power, and with the general defence against foreign aggression. The states, separately, cannot make war, nor defend the country. They may be all solvent, but their financial ability, cannot be used for general defence. The common government is our only reliance for this, and if this government, being alone charged with the common defence, is to be crippled and ruined with debt, whether by squandering its revenues, by a distribution of the proceeds of the public lands, by assuming the State debts, or by a ruinous system of internal improvements, we will make ourselves the easy victims of the nations of Europe; and we will be sure to see them, on every occasion of difference, sending their fleets to our coasts, to bombard our cities, and drive us into dishonorable treaties, as they have often done, with the weak government of Mexico, and the imbecile Republics of South America.

We have these instances, and many others of weak nations, as standing examples of what would be done to us by the proud, overbearing and unjust nations of Europe, with whom might constitutes right, if we thus impair the national strength of our country.

It is true that a national debt existed during the last war with Great Britain. We had then, however, the public domain almost unimpaired by previous sales. Many millions of it were granted as military bounties for the enlistment of soldiers, and all of it was pledged for loans to carry on the war. This was a rich and ample resource. It infused power into weakness, and saved a resort to high taxation. Since that time the most valuable of the public lands have been sold, and the sales must necessarily decrease for the future, making it more than ever necessary to abstain from the creation of new debt.

It is also true, that Great Britain has a great national debt, which does not seem to impair her ability to prosecute most extensive wars. But there is a difference between this government and that. Hers is a government of force at home and abroad, sustained by the bayonets of a mercenary soldiery, by which she is enabled to ravish from the mouth of starving poverty, the last morsel of its bread, in the shape of the most odious and extravagant taxes, with which a nation was ever afflicted. Ours is a government of opinion, founded upon the principle of voluntary submission to the laws. We are a free people, who will never submit to such burdens as long as our liberties endure. If we follow the example of England, in the creation of a great national debt, we would be compelled to follow her example in her system of government. For nothing short of a monarchy, sustained by the bayonets of a hireling soldiery, could ever wring such taxes from the free people of these United States.

All of these measures, are liable to the common objection which arises from the uncertainty and dilatory nature of the action of Congress on such subjects, and, upon the whole, I think I may venture to assert that none of them will do to rely on. As for myself, I have no new measure

to propose, but it will afford me great pleasure to concur with the General Assembly in any measure which will really conduce to the accomplishment of this great work.

The subject of common school education must necessarily attract your attention. It is one of the utmost importance to the well being of the people; the due provision for which, is essential to the perpetuity of enlightened republicanism, and absolutely necessary to a proper and just administration of our democratic institutions. No system on this subject has yet been adopted, which has been satisfactory to the people; or which has been executed with efficiency in all parts of the State. But little statistical or other information of the actual operation of existing laws on this subject, has yet been collected to enable the General Assembly to legislate upon it with an enlightened judgment. Some means ought to be adopted, to collect this information; and I can think of none better than the appointment, by your honorable bodies of an agent, at once faithful and competent to the task; whose duty it would be to travel into every county, and if possible every neighborhood; and by a careful inspection and examination, collect this information for the use of the Legislature; and by lectures and every other means in his power, endeavor to impress upon the people the overwhelming importance of the education of their children. Such an agent ought to be a rare man; endowed with talents, zeal, and discretion of the highest order. Money expended on such an agency, if ably, faithfully and zealously executed, would be approved by the people, as being more for their benefit, than any other appropriation whatever. And if taxed for it, they would feel that they had been taxed for a purpose of the highest utility.

During the last summer serious disturbances occurred in the county of Hancock. The causes and consequences of those disturbances, and the history of the several transactions to which they gave rise, will be laid before you in a special report.

My proceedings as ex-officio Fund Commissioner, in settling, collecting and paying debts due to and from the State, and the general management of the State property, will likewise be laid before you in a special report.

The companies chartered, at the last session to complete the Central railroad and the Northern Cross railroad from Springfield to the eastern boundary of the State, have not as yet complied with any of the terms of the several laws by which they were created.

The act also to settle the account of Macalister and Stebbins has not been complied with by them; and it is now pretty certain that they never had, and never will have the ability to comply with its terms. The bonds which they proposed to return, were not and have not been subject to their control. It will be recollected that these bonds were hypothecated to them, upon which the Fund Commissioner received the sum of two hundred and sixty-one thousand dollars, to pay the semi-annual interest on the State debt, due on the first of July, 1841. These bonds, were immediately re-hypothecated by them, to raise the money advanced to the Fund Commissioner; and have ever since remained beyond their control. The money is due to the holders of the bonds in proportion to their advances. They have not, however, seen proper to present them for payment, according to the terms of the above recited

act; and many of them, have been thrown into the market and sold, from time to time, as other bonds.

The present judiciary system, has been found to be insufficient for the due administration of justice in some parts of the State; and particularly in the county of Cook. The city of Chicago, situate in that county, has so increased in population and business, as to require a court to be in session the greater part of the year. The county of Cook is now the component part of a circuit of seven counties. Chicago is a city of some twelve thousand inhabitants; being situate on Lake Michigan, its business is of the character and importance of a sea-port town; it is the thoroughfare for travelling by land and water, to and from the northern part of this State, the southern part of Wisconsin and a part of Iowa Territory. In such a place, there must be a greater amount of litigation; and a larger number of criminals committed, than could be expected amongst the same number of people, differently situated. And so it is, with all thriving and populous cities. The city of St. Louis, containing less than three times the number of inhabitants, has three courts sitting, nearly all the time for the despatch of business; and the judiciary there, is no more than adequate to the wants of the people. I respectfully recommend the establishment of a separate court in the county of Cook, and city of Chicago, with a jurisdiction concurrent with the circuit court. The present system has operated to the people there, for years past, as almost a denial of justice. Prisoners have suffered long and vexatious imprisonment, before they could be tried for offences, of which they were accused, and the county has been put to an expense in maintaining them, unknown to other counties.

There may be other parts of the State suffering in a somewhat similar way. If so, the fact will be known to the General Assembly, and the evil ought to be removed by the establishment of such additions to the judiciary system, as will meet the wants of the people.

The revenues of the State for the year 1844, are estimated, by the Auditor, at the sum of \$150,000, no part of which has yet been collected. There is also due, for arrearages of previous years, the sum of \$59,304. The probable cost of assessing and collecting, what is now due to the State is estimated at about \$18,000; and of the whole sum now due, amounting to \$209,304, the sum of \$100,000 may be collected and paid in by the first of May next. The revenue will be increased for the years 1845, and 1846, about \$5,000 each year.

On the 31st of October last, there were warrants on the Treasury outstanding to the amount of \$22,882; and on the same day, there was an unexpended balance in the treasury of \$11,733 66.

The sum now on hand, and that due, and expected to be collected, will be scarcely more than sufficient, by the strictest economy, to pay the current expenses of the State Government, the interest on the school fund, and the expenses of this General Assembly.

As to the extraordinary debt of the State, contracted for the canal and other internal improvements, no interest has been paid on it, which has accrued, since the first of July, 1841, and no provision of law, has been made for such payment. The magnitude of this debt, compared with the resources of the State, has been a continual terror to the people. They have lived in expectation of oppressive taxes. The same has been anticipated, by all who would otherwise, emigrate to the State. The popular

vote at the last election, shows that our population has been increased but little, since 1840; and it is a fact too notorious to be concealed, that nothing but the utter impossibility of selling real estate, prevents the rapid decrease of our numbers. The adjacent territories are filling up with inhabitants at our expense. The high and palmy days have departed, when we doubled our population in a few years; when, if a citizen owned more land than he wanted for cultivation, or if he wanted to leave the country, or remove from one part of the State to another, he could sell his land for cash. What has produced this state of things? Has it been high taxes? No. It has been the fear of them only. Is it because, money has been drawn from our pockets, as a tax upon our industry? No. Not one cent has yet been paid by taxation. On the contrary, our taxes, for State purposes, are three times less, than they are in the great and flourishing State of Ohio. Nevertheless, Ohio is advancing to greatness, with unparalleled rapidity; whilst we are paralyzed with the torpid fear of evil only, when no such evil really exists.

The fancies, the fears, the imaginations of men, hang like an incubus, upon our prosperity. The reality, whenever it comes, can never be so terrifying, so alarming, as the undefined and dreamy imaginations of men, conjured up by the mere expectation of an unknown and untried evil.

If something could be done, to define the extent of this evil, to dissipate imaginary terror; and to create a confidence in the public mind, here and all over the world; that justice will be done, and no oppression attempted; we may reasonably look for a return of prosperity. Our own people would pursue their industry with alacrity; and increase their improvements with confidence; strangers from abroad would be attracted to the State, and property would be doubled in value in a very short time. But without something of this kind shall be done, the terrors of the people will drive them away, as fast as they can dispose of their property, and all substantial inhabitants, who might be expected from abroad will avoid us, for some of the territories. Indeed, if we might expect any increase, it would, most likely, be composed of the refuse population of other states: men, who would have every thing to gain and nothing to lose, who, having but little respect for their own private character, would be indifferent to the honor and credit of the place, selected for their residence.

The mere apprehension then of high taxes, and not their actual existence, constitutes our only embarrassment. How necessary, then, is it, that the whole height and depth, length, breadth, and thickness of the apprehended evil should be defined and settled immediately and that forever.

Whatever is done ought to be in conformity to the great principles of natural justice. It ought not to involve a tax which would be oppressive. If a fund shall be established, it ought to be so constituted, as to increase with the future prosperity of the country, and although it might be small at first, a probability ought to appear that, within a reasonable time, it will increase to such an amount, as will answer the purpose intended; it ought to be such a measure, as the people will be satisfied with and cheerfully submit to. It ought to appear, that it will not be made a political hobby hereafter. No antagonist measure or party ought to be arrayed against it. In a word, whatever is done, ought to be a complete and permanent settlement of the question; and it ought to appear that no new

agitation will grow out of it to endanger the measure, as the settled and permanent policy of the country.

In the first place, this question can never be settled by denying the debt. It is too notorious that we have had the money of our creditors, and they have had nothing in return. The sense of the universal world is, and always will be, that we owe them. This is an imperishable fact, which can never be forgotten. The question will always arise at every succeeding session of the legislature. We may deny the debt—we may plead *non est factum* to our bonds; but like the rogue, who seeks to cheat his creditor in private life, we will still owe the money; the benumbing consciousness of which, being registered on our hearts, will stick to us to plague us forever.

The question cannot be settled by asking and receiving a distributive share of the proceeds of the public lands. A fund so constituted will not amount to more than \$90,000 dollars at first; and must annually diminish as the lands are sold. Such a measure would give no confidence that a provision had been made for the ultimate payment of either principal or interest of the debt.

The question cannot be settled by an assumption of the State debts by the United States, without doing as much injustice to some of the States as would be done to our creditors by open and avowed repudiation. Several of the States have no debt to pay, and yet their citizens, equally with ours, would be taxed to pay money which they have never enjoyed or contracted. It would be as honorable and honest, to cheat our creditors out of their interest as to wring it from others, who are under no obligation morally or legally to pay it. A law involving such monstrous injustice can never be passed or sanctioned by the American people.

The truth is we will have to rely on ourselves, upon our own exertions. We contracted the debt ourselves, and ourselves will have to pay it. We need look to no foreign aid. We must make bare our own right arms and come up to the work, appalling as it looks, like men.

This is a subject which has commanded my most anxious attention. I have looked to this session of the General Assembly, and have fondly hoped that the fears of the people, and the blighting influence of an uncertain position, might now be put at rest forever.

It will be impossible to raise money enough by taxation to pay the entire interest; still something may be done. I would not propose a high nor an oppressive tax. I know too well the misfortunes and calamities of the people, to believe that such a tax could be collected. At the last session an increase of taxation was impracticable on account of a total want of money in the country. The same cause still lingers to some extent in some of the interior counties. The partial failure of crops for two years, the sickness of the last season, the floods and high waters in some places, it must be acknowledged, will present obstacles against doing as much as could be desired.

It is hoped, however, that these partial impediments may not be considered insuperable. There is no other practicable mode of settling this great question than by increasing the revenue. The additional burden will not have to be paid until the latter end of the next year, and the beginning of the year following. In the meantime relief might be given to the sufferers by high water, by extending the time for payment of the present taxes, and if the Constitution presented no barrier releasing them

entirely. In a year or so more, by the time such taxes will become due, it is hoped that a total recovery will be wrought in the pecuniary circumstances of the people.

In the year 1827, a portion of the land tax was first given to the counties. They were then universally in debt, and all of them needed an increase of their revenues for the erection of court houses and jails. These have been built long since, and most of the counties could have been free from debt with proper economy. With them a large revenue or a small one would answer the same purpose. A small one would be sufficient, and a large one is squandered to no useful purpose.

This land tax ought to be resumed to the State treasury. Frequent attempts have been made to effect this, but without success. The objection has always been that there was more land taxable in the old than in the new part of the State, and that the measure would be unequal. This objection has now lost its force, and no longer presents obstacles to this measure of true justice and economy.

I would recommend that the additional revenues thus derived, and such additional tax, as the legislature in their wisdom will provide for, be formed into a fund, the proceeds and increase of which shall be sacred, and dedicated to the extinction of a portion, however small at first, of the interest on the public debt.

Whatever we do in this way, ought to have the greatest permanency. There ought to exist no very considerable dissatisfaction in the public mind, and the nearer unanimous we all are upon it, the more permanent the measure would be. We ought to make it known to the whole world, that whatever may be done in this way, is all that ever will or can be done. Thus, by showing our willingness to contribute according to our ability, by making that our permanent policy; not to be added to or subtracted from in future; and by thus setting a limit to the fears and imaginations of men, in relation to the huge phantom of expected taxes, we might reasonably calculate to restore ourselves in the estimation of mankind, turn the tide of emigration again into our country, accompanied by wealth and intelligence. Land, again, would become of some value. There would be a demand for it at once, and our condition would be improved in every respect.

Every man of property in the State, and all have less or more, ought to desire the speedy and permanent settlement of this question. His property is of but little value, whilst the fears and terrors of high taxation prevail on one side, or unblushing, impudent repudiation, stares him in the face, on the other.

May the Supreme ruler of the universe, enlighten our understandings, to see what is best to promote the true interest of our constituents and nerve our arms and hearts, with the courage to do it.

THOMAS FORD.

Springfield, Dec. 2, 1844.

On motion of Mr. Nunnally,

The message was laid on the table, and 5000 copies ordered to be printed for the use of the Senate.

On motion of Mr. Killpatrick,

So much of the Governor's message as relates to education, was referred to the committee on School Lands and Education.

On motion of Mr. McMurtry,

So much of the Governor's message as relates to the Financial concerns of the State, was referred to the Committee on Finance.

On motion of Mr. Dougherty,

So much of the Governor's message, as relates to a revision of the Laws of this State, was referred to the Committee on the Judiciary.

On motion Mr. Webb,

So much of the Governor's message as relates to the Courts of Justice, was referred to the same Committee.

On motion of Mr. Thompson,

So much of the Governor's message as relates to the Canal, and Canal Lands, was referred to the Committee on Canal and Canal Lands.

And then the Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Crain moved the adoption of the following preamble and resolution, which by a rule of the Senate, lies one day on the table, viz:

Whereas, In some of the counties in this State, many of the inhabitants are Germans, who cannot read or understand the English language, but are alike interested in the welfare of our institutions and Government, and feel a deep interest in the same.

Therefore Resolved by the Senate, That two thousand additional copies of the Governor's message received to day, be printed in the German language for distribution by the Senate.

Mr. Crain moved that the rule be dispensed with, and that the resolution be now taken up for consideration; which was agreed to.

Mr. Webb moved to amend the resolution by striking out, so as to make it read as follows:

"Resolved by the Senate, That one thousand copies of the Governor's message ordered to be printed to day, be printed in the German language for distribution by the Senate,

Which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Buford, Cavarly, Davis, Edwards, Fithian, Forman, Harris, Henry, Johnson, Judd, Killpatrick, McMillan, McMurtry, Minard, Nunnally, Parker, Ruggles, Smith of Adams, Smith of Madison, Thompson, Vandeventer, Warren, Waters, Webb, Wilbanks, Worthington and Wynne—27.

Those voting in the negative, are,

Messrs. Allen, Boal, Catlin, Constable, Crain, Dougherty, Dunlap, Leviston, Markley, Matteson, Morrison and Powers—12.

The question then recurring on the adoption of the preamble and resolution as amended,

It was decided in the affirmative.

On motion,

The Senate adjourned.

WEDNESDAY, DECEMBER 4, 1844.

Senate met pursuant to adjournment.

Mr. Constable presented the petition of F. D. Preston and others, praying for the passage of an act authorizing the heirs of Moses Bedell to reconstruct a milldam across the Great Wabash river, and on his motion, the reading of the same was dispensed with, and referred to the committee on Internal Navigation.

Mr. Leviston presented the petition of 36 citizens of township 9, range 7, in Gallatin county, praying remuneration for the 16th section, which was sold as Saline lands by the State; and on his motion, the reading of the same was dispensed with, and referred to the committee on Salines and Saline lands.

Mr. Cavarly presented the petition of Nath'l. Hamilton and others, praying the passage of a law authorizing the trustees of township No. 7, north, range 12 west of the 3d principal meridian, to revalue the 16th section in said township, for the benefit of the original purchasers; which was read, and,

On his motion,

Referred to the committee on school lands and education.

Mr. Matteson moved the adoption of the following resolution which by a rule of the Senate, lies one day on the table, viz:

Resolved, That the Auditor of public accounts be directed to make out and transmit to the Senate, all facts in relation to the data upon which the interest of the school, college and seminary fund has been apportioned to the county of Will, since the last census, and whether there has not been a mistake made in reference to the said apportionment; if so, the result of such mistake.

Mr. Leviston moved the adoption of the following resolution; which lies one day on the table, viz:

Resolved, That the Governor, Ex-Governors, Judges of the Supreme Court, the Judge of the district court of the United States and members and ex-members of Congress, be permitted to take seats within the bar of the Senate during its sittings.

The resolution of Mr. Killpatrick inviting the clergy of Springfield to open the morning session of the Senate with prayer, being taken up, Mr. Catlin moved to amend the same by striking out all after the words "invite the" and insert the following: "members of the Senate in their private devotions to offer up their prayers to Almighty God, that their labors may promote the prosperity and happiness of the people, the permanency of our institutions and the beneficial diffusion of christianity, and that we may be an example of christian meekness and charity."

Mr. Vandeventer moved to lay the proposed amendment on the table; which was decided in the affirmative.

Mr. Dougherty moved to amend said resolution, by adding the words "provided that the services be rendered without any compensation from the State."

Mr. Constable moved to lay the proposed amendment on the table; which was decided in the negative, by yeas and nays, as follows:
Those voting in the affirmative, are,

Messrs. Buford, Constable, Davis, Henry, Webb and Worthington—6.

Those voting in the negative, are,

Messrs. Allen, Boal, Catlin, Cavarly, Crain, Dougherty, Dunlap, Edwards, Fithian, Forman, Harris, Johnson, Judd, Killpatrick, Leviston, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Nunnally, Parker, Powers, Ruggles, Smith of Adams, Smith of Madison, Thompson, Vandeventer, Warren, Waters, Wilbanks and Wynne—33.

Mr. Warren moved to amend said amendment by adding the words "and that each Senator shall kneel down during prayer."

Mr. Killpatrick moved to lay the proposed amendment to the amendment on the table; which was decided in the affirmative, by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Buford, Cavarly, Dougherty, Dunlap, Edwards, Fithian, Henry, Johnson, Killpatrick, Leviston, Markley, Matteson, McMurtry, Minard, Morrison, Parker, Powers, Ruggles, Smith of Adams, Smith of Madison, Thompson, Vandeventer, Waters, Wilbanks, Worthington and Wynne—28.

Those voting in the negative, are,

Messrs. Catlin, Constable, Crain, Davis, Forman, Harris, Nunnally, Warren and Webb—9.

Mr. Worthington moved to amend the proposed amendment, by striking out all after the word "provided" and insert the following: "that the per diem allowance of a member, be tendered to each for the day on which they officiate."

Mr. Dougherty called for a division of the question.

Mr. Webb moved to lay the resolution together with the proposed amendments on the table; which was decided in the negative, by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Catlin, Crain, Davis, Harris, Markley, McMurtry, Nunnally, Warren, Webb, Wilbanks and Worthington—11.

Those voting in the negative, are,

Messrs. Allen, Boal, Cavarly, Constable, Dougherty, Dunlap, Edwards, Fithian, Forman, Henry, Johnson, Judd, Killpatrick, Leviston, Matteson, McMillan, Minard, Morrison, Parker, Powers, Ruggles, Smith of Adams, Smith of Madison, Thompson, Vandeventer, Waters and Wynne—27.

The question then recurring on striking out all after the word "provided,"

It was decided in the negative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Davis, Webb and Worthington—3.

Those voting in the negative, are,

Messrs. Allen, Boal, Catlin, Cavarly, Constable, Crain, Dougherty, Dunlap, Edwards, Fithian, Forman, Harris, Henry, Johnson, Judd, Killpatrick, Leviston, Markley, Matteson, McMillan, McMurtry, Minard,

Morrison, Nunnally, Parker, Powers, Ruggles, Smith of Adams, Smith of Madison, Thompson, Vandeventer, Warren, Waters, Wilbanks and Wynne—35.

The question then being taken on the amendment offered by Mr. Dougherty, it was decided in the affirmative; and the resolution as amended, was adopted; by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Buford, Cavarly, Constable, Davis, Dougherty, Dunlap, Edwards, Fithian, Forman, Henry, Johnson, Judd, Killpatrick, Leviston, Matteson, McMillan, Minard, Morrison, Parker, Powers, Ruggles, Smith of Adams, Smith of Madison, Thompson, Vandeventer, Waters and Wynne—29.

Those voting in the negative, are,

Messrs. Catlin, Crain, Harris, Markley, McMurtry, Nunnally, Warren, Webb, Wilbanks and Worthington—10.

Mr. Parker offered for adoption the following resolution; which by a rule of the Senate, lies one day on the table.

Resolved, That the standing hour of adjournment for the Senate shall be 9 o'clock in the morning.

Mr. Nunnally offered for adoption the following resolution which lies one day on the table:

Resolved by the Senate, That a select committee of five be appointed to report rules for the government of the Senate.

Resolved by the Senate, the House of Representatives concurring herein, That a joint select committee of two on the part of the Senate, and three on the part of the House be appointed to report joint rules for the government of the two Houses.

On motion,

The Senate adjourned.

THURSDAY, DECEMBER 5, 1844.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Bergen.

Mr. Fithian presented the petition of the Trustees of schools for township 19 north, range 11 west, in Vermilion County; praying for the relief of William Moss, a purchaser of School Lands in Vermilion County,

And on his motion, the reading of the same was dispensed with, and said petition referred to the committee on School Lands and Education.

A message from the Governor, by Mr. Campbell, Secretary of State.

Mr. Speaker: I am directed by the Governor, to lay before the Senate, three several communications in writing.

A message from the House of Representatives, by Mr. McDonald, Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives, to inform the Senate, that they have elected Finney D. Preston, their enrolling and engrossing Clerk:

Mr. Speaker laid before the Senate, the following communication from his excellency, the Governor, viz:

EXECUTIVE DEPARTMENT,
Springfield, December 5, 1844.

To the Senate and House of Representatives:

Since the last session of the General Assembly three vacancies have occurred in the office of Associate Justices of the Supreme Court; one by the death of the Honorable John M. Robinson, one by the resignation of the Honorable Stephen A. Douglass, and another by the resignation of the Honorable James Semple; which vacancies have been filled by temporary appointments, to expire at the close of this session of the General Assembly.

THOMAS FORD.

Which was read, and,

On motion of Mr. McMurtry,

Laid on the table.

Mr. Speaker announced two several communications from the Governor upon Executive business.

On motion of Mr. Parker,

Ordered, That said communications be acted upon with open doors, and were read as follows, to wit:

EXECUTIVE DEPARTMENT,
Springfield, December 5, 1844.

To the Senate:

I nominate Walter S. Mayo, to be Notary Public, and Alexander Stewart, to be Public Administrator of Edwards County.

THOMAS FORD.

EXECUTIVE DEPARTMENT,
Springfield, December 5, 1844.

To the Senate:

I nominate Joseph C. Orth, to be Public Administrator, and also, Notary Public for the County of Wabash.

THOMAS FORD.

On motion of Mr. Constable,

The nominations as above, were advised and consented to by the Senate.

On motion of Mr. Cavarly,

The bill entitled "An act concerning corporations," together with the objections of the Council of Revision to the same was taken up, and on his further motion referred to the committee on the Judiciary.

Mr. Killpatrick asked, and obtained leave to introduce a bill entitled "An act to amend an act entitled an act to regulate the interest of money, approved Feb. 28, 1833."

Which was read, and ordered to be read a second time.

On motion of Mr. Dougherty,

The rule of the Senate was dispensed with, the bill was read the second time, and,

On motion of Mr. Webb,

Referred to the committee on the Judiciary.

The resolution of Mr. Matteson, calling upon the Auditor for information in relation to the apportionment of interest in Will County, was taken up, read, and adopted.

The resolution of Mr. Leviston admitting the Governor and others to seats within the bar of the Senate, was taken up.

Mr. Killpatrick moved to amend the same by inserting the word "elect" after the word "members," which was agreed to.

Mr. Harris moved further to amend said resolution by adding the following, viz:

"Revolutionary soldiers, all soldiers who fought in the last war with Great Britain, also those who fought in the Black Hawk war, and all ex-members of the Legislature of the State of Illinois."

Which was decided in the negative, by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Davis, Dougherty, Edwards, Harris, Johnson, Matteson, McMurtry, Minard, Nunnally, Warren, Waters and Wilbanks—12.

Those voting in the negative, are,

Messrs. Allen, Boal, Buford, Catlin, Cavarly, Constable, Crain, Dunlap, Fithian, Henry, Judd, Killpatrick, Leviston, Markley, McMillan, Morrison, Parker, Powers, Ruggles, Ryan, Smith of Adams, Smith of Madison, Thompson, Vandeventer, Webb, Worthington, and Wynne—27.

Mr. Dougherty moved to refer the resolution as amended to the committee on Salines and Saline Lands, which was agreed to.

The resolution of Mr. Parker, in relation to the standing hour of adjournment, was taken up and read, and,

On motion of Mr. Parker,

Laid on the table.

The resolutions of Mr. Nunnally having for their object the appointment of a committee of five in the Senate to prepare rules for the government of the Senate, also the appointment of two on the part of the Senate, and three on the part of the House of Representatives to prepare joint rules for the Government of the two Houses, was taken up, read, and adopted.

Mr. Speaker appointed Messrs. Nunnally, Dougherty, Leviston, Matteson and Smith of Madison, the committee to prepare rules for the Senate; and Messrs. Cavarly and Killpatrick, the committee on the part of the Senate, to prepare joint rules.

Ordered, That the Secretary inform the House of Representatives of the same, and ask their concurrence therein.

On motion,

The Senate adjourned.

FRIDAY, DECEMBER 6, 1844.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Dresser.

A message from the House of Representatives, by Mr. Cloud, their Clerk:

Mr. Speaker: I am directed by the House of Representatives, to inform the Senate that they have adopted the following resolution, viz:

Resolved by the House of Representatives, the Senate concurring herein,

That the members of the Senate will meet the members of the House in the Hall of Representatives on Wednesday the 11th inst. at 2 o'clock, P. M., for the purpose of electing a United States Senator, to fill the vacancy occasioned by the death of Judge McRoberts.

In the adoption of which they ask the concurrence of the Senate.

Mr. Buford presented the petition of Isaac B. Essex, praying the passage of an act, for the purpose of vacating the town plat of New Quebec, in Rock Island County, and on his motion the reading of the same was dispensed with, and said petition referred to the committee on the Judiciary.

Mr. Allen presented the petition of John M. Ward and others, asking the privilege of erecting a Mill-dam across the Saline creek, in Williamson County; and on his motion, the reading of the same was dispensed with, and said petition referred to the committee on Petitions.

Mr. Speaker laid before the Senate, the biennial report of the Auditor of Public Accounts.

Mr. Harris moved to dispense with the reading, and that the same be laid on the table and printed.

Mr. McMurtry moved that 2000 copies be printed, which was not agreed to.

Mr. Dougherty moved that 500 copies be printed, which was not agreed to.

The question then being taken on the motion of Mr. Harris to lay on the table and print, it was decided in the affirmative.

Mr. Smith of Madison offered for adoption the following preamble and resolution, which by a rule of the Senate, lies one day on the table, viz:

Whereas: Owing to the low price of the products of our soil, the depressed condition of the mechanical trades, as well as the business of the country generally, the laborer is but poorly compensated for his labor and toil, and as a large portion of the revenue of the State is derived from this class of our people: therefore,

Resolved, That the committee on Retrenchment be instructed to examine and revise all laws now in force, establishing the salaries and fees of the several officers of this State, and that they report a bill to this House, making such reductions in the salaries and fees of officers (where there is no constitutional prohibition) as will destroy the great disproportion that now exists between the pay of such officers, and the income of the great mass of our people.

Mr. Constable moved the adoption of the following resolution, which lies one day on the table.

Resolved, That the committee on the Judiciary be instructed to enquire into the propriety of the passage of a law imposing penalties for "Sabbath-breaking;" and that they report by bill or otherwise.

Mr. Fithian offered for adoption the following resolution, which lies one day on the table.

Resolved, That the Auditor of Public accounts be requested to report to the Senate at his earliest convenience a full statement of all the property, real, personal and mixed, which the Governor had appraised in compliance with the provisions of "An act to provide for the sale of public property and the payment of the State debt," approved March 4th, 1843, together with a statement of the amount of said property sold, to whom sold, for what

amount sold, and for what kind of pay; whether in State indebtedness or otherwise; also, if in his power to report the cost to the State, attending the carrying the above named act into effect; also, at what point or points in the State the unsold property if any may be found.

Mr. Catlin offered for adoption the following preamble and resolution, which lies one day on the table, viz:

Whereas: The farmers on the leading roads near St. Louis, complain of people who travel and camp on the road, trespassing on their timber, fences and crops without any adequate remedy at law; therefore,

Resolved, That the committee on the Judiciary be instructed to examine the laws, and if necessary report a bill for the further protection of their property, and further to cover the case of those who have no property to make satisfaction.

Mr. Constable offered for adoption the following resolutions, which lie one day on the table, viz:

Resolved, That the committee on Public Roads be instructed to enquire into the propriety of so amending the law in relation to Public Roads, as to provide that hereafter no tax in the form of road labor shall be levied, but that an *ad valorem* tax for road purposes shall be levied by the County Commissioners' Court of each County to be expended under the direction of said Court in making and repairing roads, &c., and that they report by bill or otherwise.

Resolved, That said committee be further instructed to enquire into the expediency of so amending said law, as to empower the County Commissioners' Courts in each county on application made to grant to individuals under certain circumstances, to be determined by the Court at its discretion, license to place upon county roads running through lands belonging to the applicant, gates or bars to be constructed, and kept up under the direction of the supervisors of said roads, and that they report by bill or otherwise.

Mr. Markley moved the adoption of the following resolution, which lies one day on the table, viz:

Resolved, That the committee on Finance be instructed to enquire into the expediency of so amending the revenue law, as to make the assessment and collection of taxes by election precincts, and the assessor and collector of each precinct election by the people, and the assessment made by inspection.

Mr. Killpatrick offered for adoption the following resolution, which lies one day on the table, viz:

Resolved, That the committee on School Lands and Education, be requested to enquire into the expediency of revising the common school laws of the State, and of providing by law for the appointment of a State superintendant by the Governor: also, to allow the inhabitants of the township to tax the property of their townships for school purposes, and report by bill or otherwise.

Mr. Dougherty moved the adoption of the following preamble and resolution, which lie one day on the table, viz:

Whereas: This State has by repeated acts of thoughtless legislation become involved in debt for the payment of which, taxes and proffered sales of her property prove inadequate, as recent efforts abundantly demonstrate; and,

Whereas: It is as well the interest as the duty of all her citizens to provide the means as soon as practicable to pay the same, and to enable the State to do this, economy must be hereafter the governing principle in her legislation, Therefore,

Resolved by the Senate, the House of Representatives concurring herein, That the per diem wages of the members of this General Assembly, will not exceed three dollars per day, to the fifteenth day of January next, and only one dollar per day after that period, to the end of the session.

Mr. Killpatrick offered for adoption, the following resolution, which lies one day on the table, viz:

Resolved, That the committee on Finance, be requested to enquire into the expediency of so altering and amending the revenue laws of the State, so that the taxable land of the State may be divided into classes of first, second, and third rate according to quality and location, and that a value be fixed to each rate by the Legislature; and that they report by bill or otherwise.

Mr. Allen offered for adoption, the following resolution, which lies one day on the table, viz:

Resolved, That the committee on the Judiciary, be requested to enquire into the expediency of passing a law, confining justices of the peace and constables, to the precincts in which they are elected, and that they report by bill or otherwise.

Mr. Judd, on leave given, introduced a bill, entitled "An act to amend an act, entitled an act to incorporate the Rush Medical College," which was read, and

Ordered to a second reading; and

On his motion the rule of the Senate was dispensed with, said bill read the second time by its title, and referred to the committee on Incorporations.

Mr. Johnson, on leave given, introduced a bill, entitled "An act, to regulate interest at six per cent." which was read, and

Ordered to a second reading; and

On his motion the rule of the Senate was dispensed with, said bill read the second time by its title, and referred to the committee on the Judiciary.

Mr. Judd, on leave given, introduced a bill entitled "An act, to incorporate the university of St. Marys of the Lake," which was read, and

Ordered to a second reading.

Mr. Parker, on leave given, introduced a bill entitled "An act, limiting the jurisdiction of justices of the peace and constables, to their respective precincts," which was read, and

Ordered to second reading.

Mr. Leviston moved the adoption of the following order:

Ordered, That the Senate now go into the election of an Assistant Secretary of the Senate.

Mr. Edwards moved to amend the order, by striking out all after the word "ordered" and inserting the following:

"That it shall be the duty of the Enrolling and Engrossing Clerk to discharge the duties of Assistant Secretary of the Senate."

Mr. Davis moved to lay said amendment on the table.

Mr. Minard moved to lay the order together with the proposed amend-

ment on the table, and the question being first taken thereon, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Constable, Fithian, Forman, Harris, Judd, McMurtry, Minard, Powers, Ruggles, Ryan, Thompson, Webb, Wilbanks and Worthington.—15.

Those voting in the negative, are,

Messrs. Boal, Buford, Catlin, Cavarly, Crain, Davis, Dougherty, Dunlap, Edwards, Henry, Johnson, Killpatrick, Leviston, Markley, McMillan, Morrison, Nunnally, Parker, Smith of Adams, Smith of Madison, Vandeventer, Warren, Waters and Wynne—24.

The question then recurring upon the motion of Mr. Davis, to lay the proposed amendment on the table, it was decided in the affirmative, by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Buford, Catlin, Crain, Davis, Dunlap, Johnson, Leviston, Markley, McMillan, Morrison, Parker, Ruggles, Smith of Adams, Smith of Madison, Thompson, Warren, Waters, Wilbanks and Wynne—20.

Those voting in the negative, are,

Messrs. Boal, Cavarly, Constable, Dougherty, Edwards, Fithian, Forman, Harris, Henry Judd, Killpatrick, McMurtry, Minard, Nunnally, Powers, Ryan, Vandeventer, Webb and Worthington—19.

Mr. Dougherty moved to amend the order offered by Mr. Leviston, by striking out all after the word "ordered," and inserting the following:

"That Henry W. Moore be and he is hereby appointed Assistant Secretary to the Senate, during the present session."

Mr. Harris moved to lay the proposed amendment of Mr. Dougherty on the table, which was decided in the negative, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Cavarly, Constable, Edwards, Fithian, Forman, Harris, Judd, Matteson, McMillan, McMurtry, Minard, Nunnally, Powers, Ryan, Vandeventer, Webb and Wilbanks—19.

Those voting in the negative, are,

Messrs. Buford, Catlin, Crain, Davis, Dougherty, Dunlap, Henry, Johnson, Killpatrick, Leviston, Markley, Morrison, Parker, Ruggles, Smith of Adams, Smith of Madison, Thompson, Warren, Waters, Worthington and Wynne—21.

The question then recurred upon the proposed amendment to the order offered by Mr. Leviston, and was decided in the affirmative, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Catlin, Cavarly, Constable, Crain, Davis, Dougherty, Dunlap, Henry, Johnson, Killpatrick, Leviston, Markley, Morrison, Parker, Ruggles, Smith of Madison, Thompson, Warren, Waters, Webb and Worthington—23.

Those voting in the negative, are,

Messrs. Allen, Edwards, Fithian, Forman, Harris, Judd, McMillan, McMurtry, Minard, Nunnally, Powers, Ryan, Smith of Adams, Vandeventer, Wilbanks and Wynne—16.

The question then recurring upon the adoption of the order as amended, it was decided in the affirmative, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Catlin, Cavarly, Constable, Crain, Davis, Dougherty, Dunlap, Henry, Johnson, Killpatrick, Leviston, Markley, Morrison, Nunnally, Parker, Powers, Ruggles, Smith of Madison, Thompson, Warren, Waters, Webb and Worthington—25.

Those voting in the negative, are,

Messrs. Allen, Edwards, Fithian, Forman, Harris, Judd, Matteson, McMillan, Minard, Ryan, Smith of Adams, Vandeventer, Wilbanks, and Wynne—15.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The Speaker laid before the Senate a report from the Auditor, made in compliance with a resolution of the Senate, calling on that officer for information relative to interest due the county of Will, on the School, College, and Seminary fund, which report was read, and,

On motion of Mr. McMurtry,

Laid on the table.

The message from the House of Representatives, containing a resolution from that body, proposing that the two Houses of the General Assembly, meet in the Hall of the House on Wednesday next, at 2 o'clock, P. M., for the purpose of proceeding to the election of an United States Senator, to fill the vacancy occasioned by the death of Samuel McRoberts, was taken up, and said resolution considered.

Mr. Vandeventer moved to amend said resolution, by adding thereto, the following:

Also, one Judge of the Supreme Court to fill the vacancy occasioned by the death of Judge Robinson; one Judge of the Supreme Court to fill the vacancy of Judge Semple, resigned; and one Judge of the Supreme Court to fill the vacancy of Judge Douglass, resigned.

Mr. McMurtry moved to lay said amendment on the table, and the question being taken thereon, it was decided in the negative, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Constable, Edwards, Fithian, Harris, Killpatrick, McMillan, McMurtry, Powers and Waters—11.

Those voting in the negative, are,

Messrs. Cavarly, Crain, Davis, Dougherty, Dunlap, Forman, Henry, Johnson, Judd, Leviston, Markley, Minard, Morrison, Parker, Ruggles, Smith of Adams, Smith of Madison, Vandeventer, Warren, Wilbanks, Worthington and Wynne—22.

On motion of Mr. Cavarly,

Said amendment was amended by adding thereto the words "And States Attorney's for the first, fourth, fifth and ninth Judicial Circuits."

On motion of Mr. Dougherty,

Said amendment, was further amended by adding thereto the words, "And an Auditor, Treasurer and Attorney General."

A call of the Senate being demanded, and proceeding for some time, Mr. Killpatrick moved to dispense with the same; which was not agreed to.

The call of the Senate having proceeded for some further time,

On motion of Mr. Johnson,

The same was dispensed with.

The question then being taken on the adoption of the proposed amendment as amended, it was decided in the negative by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Crain, Davis, Dougherty, Dunlap, Forman, Johnson, Judd, Leviston, Markley, Matteson, Minard, Parker, Ryan, Smith of Madison, Vandeventer and Wilbanks—16.

Those voting in the negative, are,

Messrs. Allen, Boal, Buford, Catlin, Cavarly, Constable, Edwards, Fithian, Harris, Henry, Killpatrick, McMillan, McMurtry, Morrison, Nunnally, Powers, Ruggles, Smith of Adams, Warren, Waters, Worthington and Wynne—22.

Mr. Dougherty moved to amend the resolution by striking out all after the word "elect," and insert the following:

"Three Judges of the Supreme Court to fill the vacancies occasioned by the death of Judge Robinson, the resignations of Judge Semple and Judge Douglass.

Mr. Cavarly called for a division of the question, and the question being first taken upon striking out: it was decided in the negative.

Mr. Forman moved to amend said resolution, by adding "and one Circuit Attorney for the fourth Judicial Circuit;" which proposed amendment was,

On motion of Mr. Parker,

Laid on the table.

The question then being taken on concurring with the House of Representatives, in the adoption of the resolution, it was decided in the affirmative, by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Buford, Catlin, Cavarly, Constable, Edwards, Fithian, Harris, Henry, Johnson, Killpatrick, Leviston, Markley, Matteson, McMillan, McMurtry, Morrison, Nunnally, Parker, Powers, Ruggles, Smith of Adams, Smith of Madison, Vandeventer, Waters, Webb, Wilbanks and Worthington—29.

Those voting in the negative, are,

Messrs. Crain, Davis, Dougherty, Dunlap, Forman, Judd, Minard, Ryan, Warren and Wynne—10.

Ordered: That the Secretary inform the House of Representatives thereof.

On motion,

The Senate adjourned.

SATURDAY, DECEMBER 7, 1844.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Hale.

A message from the House of Representatives by Mr. McDonald, their Assistant Clerk.

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have adopted the following resolution, viz:

Resolved by the House of Representatives, the Senate concurring herein, That a joint committee of five be appointed three on the part of the House, and two on the part of the Senate, to examine and ascertain the per cent. levied and collected as taxes, for State purposes within the several States of this Union, and report the same to the General Assembly with as little delay as practicable.

The House have appointed Messrs. Stewart, Cushman and Logan the committee on their part in the adoption of which they ask the concurrence of the Senate.

The House of Representatives have also adopted the following Resolution, viz:

Resolved by the House of Representatives, the Senate concurring herein, That no person shall be permitted to keep or offer for sale within the State House, any vinous or spiritous liquors and that the door keeper of the House, and Sergeant-at-arms of the Senate, take care that this resolution is carried into effect.

In the adoption of which they ask the concurrence of the Senate.

The House of Representatives have concurred with the Senate in the adoption of their resolution appointing a joint select committee to report joint rules for the government of the two Houses, and have appointed Messrs. Parrish, Blair and Yates, the committee on the part of the House of Representatives.

Mr. Buford presented the petition of citizens of township 17 north, 1 west, praying for the passage of an act authorizing them to sell the school lands of said township, and on his motion, the reading of the same was dispensed with, and said petition referred to the committee on school lands and education.

Mr. Speaker laid before the Senate the biennial report of the Treasurer, which was read, and

On motion of Mr. Vandeventer,

The same was laid on the table and ordered to be printed.

Mr. Nunnally from the committee appointed to report rules for the government of the Senate during the present session, made the following report:

The committee appointed to report rules for the government of the Senate, have had the same under consideration, and have directed me to report the rules of the last Senate, as the rules for the government of the Senate, during its present session; which was read and concurred in.

Mr. Parker moved the adoption of the following resolution, which lies one day on the table, viz:

Resolved by the Senate, the House of Representatives concurring herein, That the two Houses meet in the hall of the House of Representatives, on Wednesday, the 11th instant, at 2 o'clock P. M. for the purpose of electing the following officers, to wit: One Attorney General for the State of Illinois, Auditor of Public Accounts and Treasurer, also one Circuit Attorney for the 4th Judicial Circuit, and

On motion of Mr. Parker,

The rules were dispensed with, and the resolution taken up for consideration.

Mr. Harris moved to lay the resolution on the table; which was not agreed to.

Mr. Edwards moved to amend said resolution by striking out the words "Auditor of Public Accounts and Treasurer," which was agreed to:

Mr. Crain moved to amend the resolution by adding the words "also Circuit Attorneys for the First, Second and Fifth Judicial Circuits."

Mr. Killpatrick moved to amend the proposed amendment by striking out the word "first."

Mr. Cavarly moved to lay the motion on the table; which was not agreed to.

The question then being taken upon striking out, it was decided in the negative, by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Catlin, Constable, Edwards, Fithian, Henry, Johnson, Killpatrick, Minard, Powers, Ruggles, G. Smith, Warren, Waters, Webb, Wilbanks and Worthington—18.

Those voting in the negative, are,

Messrs. Allen, Cavarly, Crain, Dougherty, Dunlap, Forman, Harris, Judd, Markley, Matteson, McMillan, McMurtry, Morrison, Nunnally, Parker, J. Smith, Thompson, Vandeventer and Wynne—19.

Mr. Constable moved to lay the proposed amendment on the table; which was decided in the negative, by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Buford, Catlin, Constable, Edwards, Fithian, Henry, Johnson, Killpatrick, Minard, Powers, Ruggles, G. Smith, Waters, Webb, Wilbanks and Worthington—18.

Those voting in the negative, are,

Messrs. Cavarly, Crain, Davis, Dougherty, Dunlap, Forman, Harris, Judd, Markley, Matteson, McMillan, McMurtry, Morrison, Nunnally, Parker, J. Smith, Thompson, Vandeventer, Warren and Wynne—20.

Mr. Catlin moved to lay the resolution, together with the proposed amendment on the table; which was decided in the affirmative.

The Report of the Auditor of Public Accounts, laid on the table on yesterday, in relation to the apportionment of interest in Will county, was,

On motion of Mr. Matteson,

Taken up and referred to the committee on school lands and education.

Mr. Crain offered for adoption the following resolution, which lies one day on the table:

Resolved, That the committee on the Judiciary, be instructed to inquire into, and report a bill amending the present laws in relation to firing prairies and timber lands, so as to prevent, if possible, future transgressions of said laws.

Mr. Davis offered for adoption the following resolution, which lies one day on the table:

Resolved, That the committee on the Judiciary, be required to inquire into the expediency of so amending the attachment law that Justices of the Peace may issue attachments on demands amounting to one hundred

dollars, and upon affidavit made by the plaintiff, or person praying such attachment, that the person against whom the attachment is sought to be sued out, is about to sell or dispose of his property, for the purpose of defrauding his creditors, or that he is about to depart this State, with the intention of removing his effects therefrom; and that they report by bill or otherwise.

Mr. Constable offered for adoption the following resolution, which, under the rule, lies one day on the table:

Resolved, That the committee on Elections, be instructed to inquire into the propriety of so amending the law in relation to elections, as to restrict the voters at the polls established in the precinct, within which they may reside and at none other, and that they report by bill or otherwise.

Mr. Johnson offered for adoption the following resolution, which lies one day on the table:

Resolved, That the Governor be requested to lay before the Senate, at as early a day as practicable, a statistical account of the probable amount of the whole amount of the State debt, distinguishing between the different species of debt and the interest due on the same up to the present time, and what increase of taxes it would require to pay the interest upon the same, as it will become due.

Mr. Morrison offered for adoption the following resolution, which lies one day on the table:

Resolved, That the committee on Finance, be instructed to inquire into the expediency of suspending or remitting the tax of 1844, to the sufferers by the recent inundation of the Mississippi, and that they be required to report by bill or otherwise.

Mr. Boal offered for adoption the following preamble and resolution, which lie one day on the table:

Whereas, Many towns have been laid out in several of the counties of this State, which are a burthen upon the Treasury, inasmuch as they do not pay the costs of assessing, making transcripts, &c. therefore,

Resolved, That the committee on Finance be instructed to inquire into the expediency of fixing a minimum value on such town lots, as will be sufficient to pay the expense of levying and collecting the taxes thereon: or of vesting a discretionary power in the County Commissioner's Court of each county to have such towns assessed or not, as they may deem it for the interest of the State; with leave to report by bill or otherwise.

Mr. Fithian offered for adoption the following resolution, which lies one day on the table:

Resolved by the Senate, the House concurring herein, That—— copies of the volume of Reports, made at the present General Assembly, shall be printed for distribution and use of the office of the Secretary of State.

Mr. Henry on leave given, introduced a bill entitled 'An act to repeal the act entitled an "An act to incorporate the city of Nauvoo"' approved Dec. 16, 1840; which was read, and ordered to a second reading.

On motion of Mr. J. Smith,

The rule of the Senate was dispensed with, the bill read the second time by its title, and

On motion of Mr. Henry,

Referred to the committee on the Judiciary.

Mr. Catlin on leave given, introduced a bill entitled "An act to provide

for the liquidation of the State debt;" which was read, and ordered to a second reading.

Mr. Webb on leave given, introduced a bill entitled "An act to alter and amend the law concerning the interest on money and usury;" which was read, and ordered to a second reading.

On motion of Mr. Webb,

The rule of the Senate was dispensed with, the bill read the second time by its title, and

Referred to the committee on the Judiciary.

The orders of the day being taken up, the bill entitled "An act to incorporate the University of St. Mary of the Lake, was read the second time, and

On motion of Mr. Judd,

Referred to the committee on incorporations.

The bill entitled "An act limiting the jurisdiction of Justices of the Peace and Constables to their respective precincts," was read the second time, and

On motion of Mr. Parker,

Referred to a Select Committee.

Ordered, That Messrs. Parker, Allen and Crain be that committee.

The Message from the House of Representatives containing a resolution providing for the appointment of a joint committee of the two Houses to ascertain the rate per cent. of taxation for State purposes, within the several States of this Union, and report the same; was taken up for consideration, when,

On motion of Mr. Killpatrick,

Said resolution was amended by striking out the words "a joint committee of five be appointed, three on the part of the House and two on the part of the Senate," and inserting in lieu thereof, the words "the Auditor be required."

The resolution as amended was concurred in.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence in said amendment.

The resolution from the House of Representatives, prohibiting the keeping or offering for sale, within the State House, of any vinous or spiritous liquors, and requiring the Doorkeeper and Sergeant-at-arms of the two Houses to carry said resolution into effect; was taken up and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

The preamble and resolution of the Senate, offered by Mr. G. Smith, instructing the committee on Retrenchment to report a bill to the Senate making reductions in the salaries and fees of officers, was taken up and adopted.

The resolution offered by Mr. Constable, instructing the committee on the Judiciary to inquire into the expediency of a law imposing penalties for "Sabbath breaking;" and report was taken up and adopted.

The resolution offered by Mr. Fithian, requesting the Auditor of Public Accounts, to report to the Senate in reference to the amount of State property appraised, the quantity sold, &c., was taken up and adopted.

The preamble and resolution offered by Mr. Catlin, instructing the

committee on the Judiciary, to report a bill, if necessary, to prevent trespasses upon timber, fences and crops, was taken up and adopted.

The resolutions offered by Mr. Constable, instructing the committee on Public Roads, to inquire into and report as to the expediency of providing by law that an *ad valorem* tax, for road purposes, be levied by the County Commissioners' Courts of this State, and also instructing said committee to inquire and report as to the expediency of empowering the County Commissioners' Courts to establish gates or bars across certain roads, were taken up and adopted.

The resolution offered by Mr. Markley, instructing the committee on Finance to inquire and report in reference to the assessment and collection of taxes by election precincts, and in relation to the election of assessors; was taken up and adopted.

On motion,

The Senate adjourned.

MONDAY, DECEMBER 9, 1844.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Edson.

Mr. Minard presented the petition of Robert Fisher and others, praying for the extension of an act to revive an act to provide for settlers on land purchased by the State, which was read, and

On motion of Mr. Minard,

Referred to the committee on Finance.

Mr. Minard presented the petition of Wm. Griffiths and others, upon the same subject, and

On his motion,

The reading of the same was dispensed with, and said petition referred to the committee on Finance.

Mr. Constable from the committee on the Judiciary, made the following report, viz:

The committee on the Judiciary, to which was referred the petition of Isaac B. Essex, proprietor of the town of New Quebec, of Rock Island county, Illinois, praying relief, &c.; have had the same under consideration and after careful examination of the subject matter of the same, being convinced that existing laws fully provide for all cases of a similar nature when relief should be granted, and being of opinion that the prayer of the petitioner should not be granted; have directed me to report the petition back to the Senate, and ask that the committee be discharged from the further consideration of the same.

And the question being taken upon discharging said committee from the further consideration of the subject, it was decided in the affirmative, and

On motion of Mr. Ruggles,

Said petition was laid on the table.

Mr. Forman from the committee on the Judiciary made the following report, viz:

The committee on the Judiciary to whom was referred the resolution enquiring into the propriety of imposing penalties in relation to Sabbath breaking, have had the same under consideration, and have instructed me

to report the same back and ask that the committee be discharged from the further consideration thereof.

The committee while they regard the observance of the Sabbath as calculated to produce a good effect upon the morals of community, yet they believe that its due observance can only be effected by an enlightened public opinion and when this shall fail, any laws however penal, would be inoperative. They believe that the laws preventing the disturbance of religious worship, now in force, go as far in relation to the subject under consideration as is requisite.

And on the question being taken upon discharging the committee from the further consideration of said resolution,

It was decided in the affirmative.

On motion of Mr. Warren,

Said resolution was laid on the table.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have passed bills of the following titles:

"An act to appropriate certain moneys herein named."

"An act making partial appropriations."

In the passage of which bills, they ask the concurrence of the Senate,

On motion of Mr. McMurtry,

The rule was dispensed with and the message taken up.

The bill for "An act to appropriate moneys herein named" was read, and,

Ordered to a second reading.

On motion of Mr. McMurtry,

The rule was dispensed with and said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Warren,

The rule was further dispensed with and said bill read a third time by its title.

On motion of Mr. Worthington,

Said bill was amended by inserting in the enacting clause thereof, after the word "Illinois" the word "represented in the General Assembly."

Mr. Edwards moved to lay said bill on the table, which was not agreed to.

On the question, "Shall the bill pass as amended?" It was decided in the affirmative, and the title of said bill agreed to.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence in said amendment.

The bill for "An act making partial appropriations," was read, ordered to a second reading and the rule being dispensed with,

On motion of Mr. McMurtry,

Read a second time by its title and ordered to a third reading.

On motion of Mr. Warren,

The rule was further dispensed with, and said bill read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the concurrence of the Senate in the passage of said bill.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have adopted the following preamble and resolutions, in the adoption of which they ask the concurrence of the Senate

Whereas, The Congress of the United States has granted to the State of Illinois, the sixteenth section in each township for the support of common schools; and whereas, in many instances, such lands are, in part, or in whole unproductive and worthless; and whereas, it is desirable that the school fund of each township should be made as productive as possible, as well for the present as any future generation of children,

Resolved, Therefore, that our Senators in Congress be instructed, and our Representatives requested, to use their best exertions to procure the passage of a law, authorizing the citizens of each township, when their sixteenth section is unproductive or worthless, in part or in whole, to relinquish it and select other lands in lieu thereof (belonging to the General Government) the lands so selected to be in each township respectively.

Resolved, That the Governor of the State of Illinois transmit a copy of this preamble and resolutions to each of our members in Congress.

Mr. Davis offered for adoption the following resolution, which lies one day on the table:

Resolved by the Senate, the House of Representatives concurring herein. That the two Houses meet in the Hall of the House of Representatives, on Wednesday the 11th instant, at 2 o'clock P. M., for the purpose of electing one circuit Attorney for the Fifth Judicial Circuit.

On motion of Mr. Davis,

The rule of the Senate was dispensed with and said resolution was taken up for consideration.

Mr. Buford moved to lay the resolution on the table, which was not agreed to.

Mr. G. Smith moved to strike out the words "the fifth" and insert the word "each."

Mr. Allen moved to amend the proposed amendment by adding the words "except the Third Judicial Circuit."

Mr. Davis moved to lay the proposed amendment and the proposed amendment to the amendment on the table; which was not agreed to.

The question then being taken on the amendment of Mr. Allen, it was decided in the affirmative.

Mr. Buford moved further to amend the proposed amendment by "excepting the Sixth Judicial Circuit."

Mr. Constable moved to lay the resolution together with the proposed amendments on the table; which was not agreed to.

The question then being taken on the motion of Mr. Buford, it was decided in the affirmative.

Mr. Worthington moved to further amend by excepting the "First Judicial Circuit."

Mr. Cavarly moved to lay said motion on the table; which was decided in the affirmative, by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Buford, Cavarly, Crain, Davis, Dougherty, Dunlap, Ferman, Judd, Leviston, Markley, Matteson, McMillan, McMurtry, Mi-

nard, Morrison, Nunnally, Parker, J. Smith, Thompson, Vandeventer, Warren and Wilbanks—24.

Those voting in the negative, are,

Messrs. Catlin, Constable, Edwards, Fithian, Henry, Johnson, Killpatrick, Powers, Ruggles, G. Smith, Waters and Worthington—12.

The question then being taken upon the proposed amendment as amended it was decided in the affirmative.

And the resolution as amended was adopted.

Ordered, That the Secretary inform the House of Representatives thereof and ask their concurrence therein.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have adopted the following resolutions:

Resolved by the General Assembly of the State of Illinois, That our Senators in the Congress of the United States be instructed, and our Representatives requested to use their best exertions to procure a grant of land from the contiguous land districts, to improve the navigation of the Great Wabash river, so far as the same forms the boundary between this State and the State of Indiana; or, in other words, to use their best exertions to procure the passage of the bill now before the House of Representatives of the United States upon that subject, which was laid over among the unfinished business of the House at the last session.

Resolved further, That the Governor be requested to forward a certified copy of this resolution to each of our Senators and Representatives in Congress.

Mr. G. Smith offered for adoption the following resolution, which lies one day on the table:

Resolved, That the committee on Finance be requested to inquire into the expediency of repealing the law, entitled "An act in relation to the publication of the Reports of the decisions of the Supreme Court of the State of Illinois," approved February 1st, 1840, or of so amending said act as to reduce the number of copies to be subscribed for on the part of the State.

Mr. Edwards offered for adoption the following resolution, which lies one day on the table:

Resolved, That the committee on the Judiciary be instructed to inquire into the constitutionality and expediency of levying a poll tax to be applied either to defraying the ordinary expenses of the Government, or to the payment of the interest on the public debt.

Mr. Crain offered for adoption the following resolution, which lies one day on the table:

Resolved, That the committee on the Penitentiary be instructed to inquire into the expediency of condensing and amending the estray laws, and that they report by bill as early as practicable.

Mr. Ruggles offered for adoption the following resolution, which lies one day on the table:

Resolved, That the committee on Finance be instructed to inquire into the propriety of so amending the revenue laws of the State, as to authorize the collectors of the several counties to secure the taxes due from persons who are about to leave their county; and report by bill or otherwise:

Mr. Minard offered for adoption the following preamble and resolution, which lies one day on the table:

Whereas, The manner of assessing the counties as now practised is very inconvenient and expensive to the people, and many citizens escape paying taxes, that the assessment is unequal for the reason that it is made upon the representation of individuals, and not upon view of the Assessor; therefore,

Resolved, That the committee on Finance be instructed to inquire into the expediency of so altering or amending the present law as to require Assessors to examine all property personally, before making the assessment; and that they report by bill or otherwise.

Mr. Davis offered for adoption the following resolution, which lies one day on the table:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of so amending the law in regard to the issuing of *capias ad respondendum*, that judgments obtained on the demands on which such *capias* issued shall be a lien on the property of such defendants, from the date of the *capias*.

Mr. Markley offered for adoption the following resolution, which lies one day on the table:

Resolved, That the committee on Roads be instructed to inquire into the expediency of so amending the road laws as that each election precinct shall compose one or more road districts, and that the supervisors in each precinct be elective by the people; and that they report by bill or otherwise.

Mr. Constable, on leave given, introduced a bill entitled "An act to amend an act entitled an act regulating the mode of taking depositions and to provide for the perpetuating of testimony;" approved, Feb. 9, 1827; which was read and ordered to a second reading.

Mr. Edwards, on leave given, introduced a bill entitled "An act in relation to the city of Springfield;" which was read and ordered to a second reading.

Mr. Nunnally, on leave given, introduced a bill entitled "An act to amend an act entitled an act relative to criminal jurisprudence," approved Feb. 26, 1833; which was read and ordered to a second reading.

The orders of the day being taken up,

The bill entitled "An act to provide for the liquidation of the State debt;" was read the second time, and

On motion of Mr. Dougherty,

Referred to the committee on Finance.

The resolution of Mr. Killpatrick having for its object the revision of the common school laws of the State, and for the appointment of a State superintendent by the Governor, was read and adopted.

The preamble and resolution of Mr. Dougherty in relation to the per diem pay of the members of the General Assembly being under consideration,

Mr. Powers moved to amend said resolution by striking out the word "three" and insert "two" in lieu thereof.

Mr. Cavarly moved to refer said resolution together with the proposed amendment to the committee on Retrenchment with instructions to report the same back on to morrow.

Mr. Killpatrick moved the indefinite postponement of the whole subject.

And the question being first taken on the motion of Mr. Cavarly to refer to the committee on Retrenchment, it was decided in the negative.

The question then recurring on the indefinite postponement of the resolution and proposed amendment, and the question being taken, it was decided in the affirmative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Buford, Catlin, Cavarly, Constable, Davis, Dunlap, Forman, Henry, Judd, Killpatrick, Markley, Matteson, McMurtry, Minard, Ryan, J. Smith, Thompson and Waters—19.

Those voting in the negative, are,

Messrs. Boal, Crain, Dougherty, Edwards, Fithian, Johnson, Leviston, McMillan, Morrison, Nunnally, Parker, Powers, Ruggles, G. Smith, Vandeventer, Warren, Webb, Wilbanks and Worthington—19.

There being a tie, Mr. Speaker voted in the affirmative.

On motion,

The Senate adjourned to 2 o'clock, P. M.

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

The resolution offered by Mr. Killpatrick, instructing the committee on Finance to inquire into the expediency of amending the revenue law so that land may be divided into classes, according to quality and location, fixing a value to each class, was taken up and adopted.

Mr. Cavarly from the joint select committee appointed to present rules for the joint government of the two Houses, made report containing the following resolutions:

Resolved by the Senate, the House of Representatives concurring herein, That there be printed 400 copies of the rules and joint rules of the two Houses of the last session for the use of the General Assembly; two hundred copies of which shall be deposited in the office of the Secretary of State for the use of the members of the General Assembly at their next session, 200 of which to be distributed to members.

Resolved, That when an order or resolution shall be adopted in either House for the printing of any bill, report or message, it shall be the duty of the Clerk of the House, or Secretary of the Senate, as the case may be, to furnish the public printers with a copy of the same, as soon as practicable, and procure two hundred copies thereof, to be printed for the use of the two Houses.

Mr. Edwards moved to strike out "400," and insert "200," in lieu thereof, and to strike out so much of said resolutions as relates to depositing 200 copies in the office of the Secretary of State.

Mr. Dougherty moved to lay the motion to strike out on the table; which was not agreed to.

The question was then taken on striking out, and decided in the negative.

Ordered, That said report and resolution be concurred in.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence in said resolutions.

A message from the House of Representatives by Mr. McDonald their Assistant Clerk.

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with them in their amendment to the bill entitled "An act to appropriate certain moneys herein named.

The resolution of Mr. Allen in relation to the expediency of passing a law confining Justices of the Peace and Constables to their respective precincts being under consideration, was

On motion of Mr. Allen,

Laid on the table.

The resolution of Mr. Crain proposing to prevent firing prairies and timber lands, was read and adopted.

The resolution of Mr. Davis in relation to the expediency of so amending the attachment law that Justices of the Peace may issue attachments on demands amounting to one hundred dollars, &c., was read and adopted.

The resolution of Mr. Constable instructing the committee on Elections to inquire into the expediency of so amending the Election law as to confine voters to the polls of their respective precincts, &c., was read and adopted.

The resolution of Mr. Johnson requesting the Governor to lay before the Senate the amount of the State debt and the interest due thereon, &c.; was read and adopted.

The resolution offered by Mr. Morrison, proposing that the sufferers by the recent inundation of the Mississippi, be exempted from the payment of taxes for the year 1844, was taken up.

Mr. Killpatrick moved to amend said resolution by inserting after the word "Mississippi" the words "and Illinois rivers."

Mr. Constable moved to amend said amendment by adding after the word "Illinois," the word "Wabash."

On motion of Mr. McMurtry,

The resolutions and amendments were laid on the table.

The preamble and resolution offered by Mr. Boal, instructing the committee on Finance to inquire into the expediency of fixing a minimum value upon certain town lots, for the purposes of taxation, &c., were taken up and adopted.

The resolution offered by Mr. Fithian in relation to the printing of reports of the present session of the General Assembly, was taken up.

Mr. Ruggles moved to fill the blank in said resolution with "500;" which was not agreed to.

On motion of Mr. Fithian,

Said resolution was referred to the committee on Finance.

On motion,

The Senate adjourned.

TUESDAY, DECEMBER 10, 1844.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Richmond.

A message from the House of Representatives, by Mr. McDonald, Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives, to inform the Senate, that they have passed a bill entitled "An act granting to the

General Government, the right to establish an army at Fort Massac;" in the passage of which they ask the concurrence of the Senate.

Mr. McMillan presented the petition of 24 citizens of township 7 north, range 2 west, of McDonough county, praying for the passage of a law, in relation to the School Lands of said township; and on his motion the reading of the same was dispensed with, and said petition referred to the committee on School Lands and Education.

Mr. Morrison presented the petition of Martha Turk, praying for a divorce from her husband, Joseph Turk, of Randolph County; which was read, and on his motion referred to the committee on Petitions.

Mr. Dougherty presented the petition of sundry citizens of Union County, praying the relocation of a part of the road from Jonesboro to Brownsville; and on his motion, the reading of the same was dispensed with, and said petition referred to a select Committee.

Ordered, That Messrs. Dougherty, Allen and Morrison be that committee.

Mr. Allen, from the committee on the Judiciary, made the following report, to wit:

The committee on the Judiciary to whom was referred a preamble and resolution, relative to persons who trespass upon the timber and fences of persons who live on the public roads near St. Louis, have had the same under consideration, and after due examination in relation to the enquiries contained in said resolution, have unanimously come to the conclusion that the laws of this State now in force upon the subject of trespassing upon property, timber, &c., are amply sufficient to protect the citizens of said State, and their property from all such grievances as are complained of in said resolution; and that in their opinion it is not necessary to alter, amend, or change the laws now in force on that subject, and have directed me to report the same back to the Senate, and ask that said committee be discharged from the further consideration thereof; and the question being taken on discharging said committee from the further consideration of the subject, it was decided in the affirmative.

On motion of Mr. G. Smith,

Said preamble and resolution were

Laid on the table.

Mr. Henry offered for adoption the following resolutions, which lie one day on the table.

Resolved, That the committee on Finance, be instructed to obtain from the Governor, and the Departments of State, and report to the Senate the present amount of the public debt, incurred for canal and internal improvement purposes, and the amount of interest annually accruing on the same.

Resolved, That the same committee ascertain, and report what reduction can be made in the expenses of the State Government, and whether the annual revenue as now collected, and to be collected in the year 1845, will be more than sufficient to defray the expenses of the government, and if so what the probable amount of the excess will be.

Resolved, That the said committee enquire into and report what is the amount of taxable property in the State, and what amount of the interest on our State indebtedness could be paid with the sum of ten cents tax on every \$100 of taxable property, real, personal or mixed in the State, and

also the further sum of ten cents on each \$100 of taxable property of all kinds, to be withdrawn from the counties, and applied to the payment of the interest aforesaid.

Resolved, That the committee also inquire into the expediency of limiting the tax hereafter to be assessed and collected for county purposes to — cents, on each \$100, of the taxable property of said counties.

Mr. Johnson moved the adoption of the following preamble and resolution, which lies one day on the table.

Whereas: Much of the embarrassments and distress of the country, is brought upon the people by exorbitant and extravagant doctors' bills, which bear no proportion to the present low prices of labor and produce, Therefore,

Resolved, That it is expedient for the present legislature, to interpose by legislative action, so as to regulate by law the charges of physicians, especially mileage.

Mr. Judd offered for adoption the following resolution, which lies one day on the table.

Resolved, That the committee on the Judiciary, be instructed to enquire into the expediency of extending the jurisdiction of justices of the peace, in action of trover, actions of trespass on the case to personal property, and actions of trespass to real estate, when the title of lands does not come in question, to the sum of one hundred dollars, and that they report by bill or otherwise.

Mr. Parker, on leave given, introduced a bill entitled "An act further to extend the navigation of the Embarrass river;" which was read, and

Ordered to a second reading.

Mr. Thompson, on leave given, introduced a bill entitled "An act to perfect the apportionment of school funds to Will County;" which was read, and

Ordered to a second reading.

Mr. McMillan, on leave given, introduced a bill entitled "An act to provide for the security of the school fund of a township therein named;" which was read, and

Ordered to a second reading.

Mr. Dougherty, on leave given, introduced a bill entitled "An act concerning the counties of Union, Alexander and Pulaski," which was read, and

Ordered to a second reading.

Mr. Judd, on leave given, introduced a bill entitled "An act for the relief of Nathaniel P. Cilley," which was read, and

Ordered to a second reading.

The orders of the day being under consideration, the bill for "An act to amend an act, entitled an act regulating the mode of taking depositions, and to provide for the perpetuating of testimony;" approved Feb. 9, 1827, was read a second time, and

On motion of Mr. Constable,

Referred to the committee on the Judiciary.

The bill for "An act in relation to the city of Springfield," was read a second time, and

On motion of Mr. Henry,

Referred to a select committee.

Ordered, That Messrs. Henry, Edwards and Killpatrick be that committee.

The bill for "An act to amend an act, entitled 'An act relative to criminal jurisprudence,'" approved Feb. 26, 1833, was read a second time, and

On motion of Mr. Dougherty,

Referred to the committee on the Judiciary.

The resolutions from the House of Representatives, instructing, &c., our Senators and Representatives in Congress in reference to the procuring of a grant of land to improve the navigation of the Great Wabash; and the preamble and resolutions likewise from the House, also instructing our Senators, &c., in Congress, to procure the passage of a law authorizing the citizens of townships to select certain lands in lieu of the 16th section, in cases where that section is worthless, &c., were severally taken up, and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives for "An act granting to the General Government the right to establish an Armory at Fort Massac," was read, and

Ordered to a second reading, and the rule having been dispensed with,

On motion of Mr. Waters,

Read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Vandeventer,

The rule was further dispensed with, and said bill read a third time, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The resolution offered by Mr. G. Smith, instructing the committee on Finance, to enquire into the expediency of repealing or amending the law, entitled "An act in relation to the publication of the reports of the decisions of the Supreme Court of the State of Illinois," was taken up, and adopted.

The resolution offered by Mr. Edwards, instructing the committee on the Judiciary, to inquire into the constitutionality and expediency of levying a poll tax, &c., was read, and adopted.

On motion,

The Senate adjourned, to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The resolution offered by Mr. Crain, instructing the committee on the Penitentiary, to inquire into the expediency of condensing and amending the estray law, was read, and adopted.

The resolution offered by Mr. Ruggles, instructing the committee on Finance, to inquire into the propriety of amending the revenue laws, with respect to the mode of collecting taxes from certain persons, was read, and adopted.

The preamble and resolution, offered by Mr. Minard, instructing the

committee on Finance, with reference to an amendment of the law, respecting the assessment of property, providing that such assessment be made upon personal inspection of the assessor, was read, and adopted.

The resolution offered by Mr. Davis, requiring the committee on the Judiciary, to inquire as to the propriety of amending the law in regard to the issuing of *capias*, was read, and adopted.

The resolution of Mr. Markley, instructing the committee on public roads to enquire into the expediency of amending the road laws, and providing for the election of supervisors in each precinct by the people; was read, and adopted.

Mr. Constable offered for adoption the following resolution, which lies one day on the table.

Resolved, That the committee on school lands and education, be instructed to enquire into the necessity of a thorough revision of the school laws, so as to simplify the same, and to render them less contradictory and abstruse than they now are, and that they report by bill or otherwise.

On motion

The Senate adjourned.

WEDNESDAY, DECEMBER 11, 1844.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Bergen.

Mr. Minard presented the petition of the county commissioners of Kane County, praying for the passage of an act authorizing them to assess a tax for county purposes; and on his motion the reading of the same was dispensed with, and said petition referred to the committee on the Judiciary.

Mr. Constable, from the committee on the judiciary to which was referred the bill, entitled "An act to amend an act entitled an act regulating the mode of taking depositions, and to provide for the perpetuating of testimony," approved February 9th, 1827, reported the same back with an amendment, which was concurred in, and the bill as amended, was

Ordered to be engrossed for a third reading.

Mr. Henry from the select committee, to which was referred the bill entitled "An act in relation to the city of Springfield," reported the same back with an amendment; which was concurred in, and said bill as amended was

Ordered to be engrossed, and read a third time.

A message from the House of Representatives, by Mr. McDonald, Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives, to inform the Senate, that they have concurred with the Senate in their amendment to the resolution of the House, calling for information on the subject of taxation in the several States of this Union.

The House have amended the amendment of the Senate, by striking out the word "Auditor" and inserting the word "Secretary of State," and by inserting after the word "State," and before the word "purposes," the words "and county."

In said amendments to the amendment of the Senate, they ask the concurrence of the Senate.

The House have passed a bill for "An act in relation to common schools," in the passage of which they ask the concurrence of the Senate.

The House have concurred with the Senate, in the adoption of their resolutions, ordering the rules and joint rules of the two Houses to be printed as amended by them, in which amendments they ask the concurrence of the Senate.

They amend by inserting after the word "session" in the fourth line the following, "as amended at this session," and adding the following:

Resolved, That a list of the members and officers of each House with their places of residence, while in Springfield, together with a list of the members of the several standing committees of each House to be printed with the rules.

Mr. Crain offered for adoption the following preamble and resolution, which lies one day on the table.

Whereas: no law now exists upon our Statute books, prohibiting persons from carrying fire arms, and other deadly weapons about their persons in a concealed manner in time of peace; and whereas, most men while in the heat of passion are liable to commit offences, and do acts which under other circumstances they would not do. Therefore,

Resolved, That the committee on the judiciary be instructed to investigate the subject, and report a bill to prevent if possible all future offences above alluded to.

Mr. Warren, on leave given, introduced a bill for "An act authorizing the probate justice of the peace for Moultrie County, to hold his office at his residence," which was read, and

Ordered to a second reading.

Mr. Minard, on leave given, introduced a bill for "An act, to amend 'An act, to provide for the election of probate justices of the peace,'" which was read, and

Ordered to a second reading.

The orders of the day coming up for consideration, the bill for "An act to further extend the navigation of the Embarrass river," was read a second time, and

Ordered to be engrossed for a third reading.

The bill for "An act to perfect the apportionment of school funds to Will County," was read a second time, and

On motion of Mr. Cavarly,

Referred to the committee on the Judiciary.

The bill entitled "An act to provide for the security of the school fund of a township therein named," was read a second time, and

On motion of Mr. McMillan,

Referred to the committee on School Lands and Education.

The bill entitled "An act concerning the counties of Union, Alexander and Pulaski," was read a second time, and

On motion of Mr. Crain,

Referred to a select Committee.

Ordered, That Messrs. Crain, Dougherty and Morrison, be that committee.

The bill entitled "An act for the relief of Nathaniel P. Cilley," was read a second time, and

Ordered to be engrossed for a third reading.

The message from the House of Representatives, just received being under consideration, the amendment of the House, inserting "Secretary of State" instead of "Auditor" to the amendment of the Senate, to the resolution of the House, in relation to the rate per cent. of taxation of the several States of the Union, was concurred in; the amendment of the House to the same resolution, inserting the words "and county" was also concurred in. The amendments contained in said message of the House of Representatives, to the resolutions of the Senate, relating to the printing, &c., of the rules and joint rules of the two Houses, &c., being also under consideration, Mr. Killpatrick called for a division of the question, when the amendment proposing to insert in the first resolution, the words "as amended at this session" was concurred in. The amendment proposing to add another resolution, was amended by striking out of said resolution the words "the members and officers of each House, with their places of residence while in Springfield, together with a list of the members of," and said resolution as amended concurred in.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence in said amendment.

The bill from the House of Representatives, entitled "An act in relation to common schools," was read, and

Ordered to a second reading.

The resolutions of Mr. Henry, offered on yesterday, instructing the committee on Finance, to obtain from the Governor and the departments of State the amount of the public debt incurred for canal and internal improvement purposes, &c., were severally read and adopted.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Cloud, their Clerk:

Mr. Speaker: I am directed by the House of Representatives, to inform the Senate, that they have adopted the following resolution:

Resolved, That the Clerk be directed to inform the Senate, that the House is now ready to receive the Senate in the Hall of the House of Representatives, to elect a Senator of the United States, to fill the vacancy occasioned by the death of the Hon. Samuel McRoberts, in pursuance of a joint resolution of the two Houses.

Whereupon the Senate preceded by their Speaker repaired to the Hall of the House of Representatives, and both branches of the General Assembly proceeded *viva voce* to elect a Senator to the Congress of the United States.

Mr. Dougherty, of the Senate, nominated James Semple.

Mr. Yates, of the House of Representatives, nominated John J. Hardin.

And the votes being taken, stood as follows:

Those voting for James Semple, are,

Messrs. Allen, Buford, Catlin, Cavarly, Crain, Davis, Dougherty, Dun-

lap, Forman, Harris, Leviston, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Nunnally, Smith of Adams, Thompson, Vandeventer, Warren, Wilbanks and Wynne, of the Senate.

On the part of the House,

Messrs. Adams, Alexander, Anderson of Lawrence, Anderson of St. Clair, Armstrong, Arnold, Babbitt, Backenstos, Benedict, Blair, Boyakin, Bradley, Brinkley, Brown, Burnett, Butler, Campbell, Cochran, Collins, Cox, Cushman, Davis of Williamson, Denning, Deskines, Funkhouser, Gregg, Hannaford, Hendry, Hick, Hicks, Jackson of McHenry, Jackson of Stark, Janney, Jewell, Kirkpatrick, Kuykendall, Loop, Lott, Manning, McDonald, Miller of Adams, Miller of Fulton, Morrille, Morris, Morrison, Nye, O'Connor, Oglesby, Parrish, Pitner, Prevo, Reed, Ricks, Robbins, Ross, Scott of De Witt, Scott of Macoupin, Sexton, Sherman, Smith of Bureau, Starne, Steele, Stewart, Thompson, Tunnel, Turley, Vedder, Vineyard, Wagner, Warren, White of Washington, Whiteside, Wilkinson, Woollard, Wood, Woodburn, Zieber and Mr. Speaker—102.

Those voting for Mr. Hardin, on the part of the Senate, are,

Messrs. Constable, Edwards, Henry, Johnson, Killpatrick, Parker, Powers, Ruggles, Smith of Madison, Waters, Webb, and Worthington.

On the part of the House,

Messrs. Arenz, Barnsback, Churchill, Davis of McLean, Dunbar, Emerson, Haley, Hanson, Hardie, Harper, Harriott, Henderson, Herndon, Huffman, Leighton, Lockard, Matthews, Metz, Miller of Winnebago, Moore, Myers, Pickering, Pratt, Randolph, Rawlings, Smith of Sangamon, Smith of Stephenson, Starkweather, Strong, White of Menard, White of Scott, Wilcox, Williams, Yates and Youngkin—47.

The Hon. James Semple having received a majority of all the votes given, was by the Speaker of the House of Representatives, declared duly elected Senator in the Congress of the United States for the State of Illinois, to fill the vacancy occasioned by the death of the Hon. Samuel McRoberts.

Whereupon, the Senate returned to their Chamber, and

On motion,

Adjourned.

THURSDAY, DECEMBER 12, 1844.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Dresser.

Mr. Ruggles asked and obtained leave of absence for Mr. Henry, until Monday next.

Mr. Vandeventer presented the petition of sundry citizens of Marquette County, praying to attach to the County of Brown a portion of the territory of said county; which was read, and on his motion referred to the committee on Counties.

Mr. Smith presented two petitions from the citizens of Marquette county, praying for the re-enacting of a law, in relation to the formation of said county &c.; which were read, and on his motion referred to the committee on the Judiciary.

Mr. Minard presented the petition of the county commissioner's court of Kendall county, praying for the passage of an act to compel the school commissioners of the counties of La Salle and Kane, to pay over certain moneys; and on his motion the reading of the same was dispensed with, and said petition referred to the committee on School Lands and Education.

Mr. Vandeventer, from the committee on Incorporations, to which was referred a bill entitled "An act to amend an act, entitled 'An act to incorporate the Rush Medical College,'" reported the same back without amendment and recommended its passage.

Mr. Worthington moved to amend the second section of said bill in the third line by striking out the word "exclusive," and

On motion of Mr. Worthington,

Said bill together with the proposed amendment, were laid upon the table.

A message from the House of Representatives, by Mr. Cloud, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have adopted the following resolution:

Resolved, by the House of Representatives, the Senate concurring, That both Houses will meet in the hall of the House of Representatives, on Saturday next, at 2 o'clock P. M., for the purpose of electing State's Attorneys for all of the judicial circuits, except the *third and eighth*; and also to elect an Attorney General.

In the adoption of which, they ask the concurrence of the Senate.

The House of Representatives have passed the following resolution:

Resolved, by the House of Representatives, the Senate concurring herein, That a joint select committee of five, three on the part of the House, and two on the part of the Senate be appointed to draft and report resolutions expressive of the sense of the General Assembly, on the subject of the occupancy by the United States, of the Oregon Territory.

The House have appointed Messrs. Anderson of Lawrence, Manning and Dunbar, the committee on the part of the House.

In which they also ask the concurrence of the Senate.

Mr. Constable offered for adoption the following resolution, viz:

Resolved, That the Governor of this State, be respectfully requested to cause the Senate to be informed at as early a day as practicable, whether J. M. Kelley was at any time the authorized agent of the State of Illinois to dispose of the property of the State, acquired under the internal improvement system; if so, that he furnish the date of such appointment of agency, the powers vested in him thereby, and the time for which he was appointed and acted; also, that he furnish the information whether such agent acted under bond, and whether he has accounted with the State; and if so, that the Governor be requested to furnish to the Senate a copy of his said account; and on his motion the rule was dispensed with, and said resolution read and adopted.

Mr. Killpatrick offered for adoption the following resolution, which lies one day on the table.

Resolved, That the committee on Internal Improvements, be instructed to enquire into the situation of the Naples branch of the Northern Cross railroad, and to ascertain if possible, in whom rests the title to the land or lot, on which the depot at Naples now stands, and to enquire into the expediency of offering for sale said depot.

Mr. Nunnally offered for adoption the following resolution, which lies one day on the table.

Resolved, by the Senate, the House of Representatives concurring herein, That his Excellency, the Governor, and the Chief Justice and Associate Justices of the Supreme Court, be respectfully requested to relinquish to the State, such an amount of their respective salaries, as will be equivalent to 25 per cent., beginning with the year 1845, for the purpose of affording the Legislature an opportunity of curtailing the public expenditures in a regular gradation from the highest to the lowest officer in the State, so that each salary per diem allowance, and fee may be brought to correspond with the present relative value of property and money, as also with the crippled financial condition of the State.

Resolved, That the Secretary be requested to furnish his Excellency, the Governor, the Chief Justice and each of the Associate Justices with a copy of the above resolution.

Mr. Killpatrick, on leave given, introduced a bill entitled "An act for the relief of persons damaged by the flood of 1844," which was read, and *Ordered* to a second reading.

The orders of the day being taken up, the bill entitled "An act to amend an act entitled an act regulating the mode of taking depositions, and to provide for the perpetuating of testimony," approved February 9, 1827, was read the third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

The bill entitled "An act in relation to the City of Springfield," was read a third time and passed.

On motion of Mr. Edwards,

The title was amended by adding "and the town of Jacksonville."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

The bill entitled "An act to further extend the navigation of the Embarrass river," was read the third time, and

On motion of Mr. Parker,

Referred to the committee on Internal Navigation.

The bill entitled "An act for the relief of Nathaniel P. Cilley," was read the third time.

Mr. Dougherty moved to refer said bill to the committee on the Judiciary, and

On motion of Mr. Constable,

The bill was laid on the table.

The bill entitled "An act authorizing the probate justice of the peace for Moultrie county, to hold his office at his residence," was read a second time, and

On motion of Mr. Dougherty,

Referred to a select committee.

Ordered, That Messrs. Dougherty, Warren and Matteson, be that committee.

The bill entitled "An act to amend an act to provide for the election of probate justices of the peace," was read a second time, and

On motion of Mr. Minard,

Referred to the committee on the Judiciary.

The bill from the House of Representatives, entitled "An act in relation to common schools," was read a second time, and

On motion of Mr. Parker,

Referred to the committee on School Lands and Education.

The message from the House of Representatives, containing two several resolutions, the first having for its object the election on Saturday next, of certain States Attorneys, and an Attorney General by the two Houses, and the last proposing the appointment of a joint select committee, to draft and report resolutions, in relation to the occupancy of the Oregon Territory, was taken up for consideration.

On motion of Mr. Leviston,

The said first resolution was amended by striking out the word "third."

On motion of Mr. Matteson,

Said resolution was further amended by inserting the word "seventh," in lieu of the word just stricken out.

Mr. Davis moved to strike out the words "and also to elect an Attorney General," which was not agreed to.

Said resolution as amended, was read and concurred in.

The said last resolution proposing the appointment of a joint select committee, &c., was then read and concurred in.

Ordered, That Messrs. Dougherty and Thompson be that committee, on the part of the Senate.

Ordered, That the Secretary inform the House of Representatives of the concurrence of the Senate in the adoption of said resolutions, and ask their concurrence in said amendments.

The preamble and resolution of Mr. Johnson, in relation to the fees of physicians being under consideration,

Mr. Johnson moved to refer the same to the committee on the Judiciary, which was not agreed to.

Mr. Dougherty moved to refer said preamble and resolution to the committee on Finance with the following instructions, viz: "to report a bill repealing all acts and part of acts providing for the payment of Physician's bills out of the county treasuries in this State."

Mr. Worthington moved to amend the instructions by adding "and also enquire into the expediency of repealing all laws for the collection of the bills of physicians for medical services."

Mr. McMurtry moved to lay the whole subject on the table.

Mr. Johnson called for a division of the question, and the question being first taken upon laying upon the table the amendment proposed to the instructions,

It was decided in the affirmative.

The question then being taken upon laying on the table said preamble and resolution together with the proposition to refer with instructions,

It was decided in the negative, by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Davis, Edwards, Killpatrick, McMillian, McMurtry, Minard, Parker, Powers, Thompson, Vandeventer, Webb and Wynne
—13.

Those voting in the negative, are,

Messrs. Catlin, Cavarly, Constable, Crain, Dougherty, Dunlap, Fithian, Forman, Harris, Johnson, Leviston, Markley, Matteson, Morrison, Nunnally, Ruggles, J. Smith, G. Smith, Warren, Waters, Wilbanks and Worthington—22.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

And the question recurring on the question pending at the time of adjournment, which was to refer the preamble and resolution of Mr. Johnson in relation to the fees of physicians to the committee on Finance with instructions.

Mr. Constable moved to amend the proposed instructions by adding as follows: "And that said committee shall further inquire into the expediency of providing that any person practising, or intending to practise, as a physician in any county in this State, shall be required to enroll himself on the records of the county commissioner's court of said county, and receive a license from said court, such person so obtaining such license being required to pay five dollars into the county treasury for such license; and that thereupon, such person shall be subject to render services in his professional character to all paupers and indigent persons within such county gratuitously, or be subject to a penalty for refusing so to do, upon sufficient evidence of such indigence and refusal, providing likewise, that until such enrollment so made and license obtained, no recovery for professional services rendered can be had by such person, who when so enrolled shall be known and called the pauper and poor man's lawyer and physician; and that said committee be further instructed to examine into the propriety of incorporating in said report a provision regulating the charges of attorneys at law, when practising in the United States Circuit Court, the Supreme Court of this State, the several circuit courts in this State, and before justices of the peace.

Mr. Johnson moved to lay the instructions together with the proposed amendment on the table, which was decided in the negative, by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Catlin, Davis, Johnson, Powers, Ruggles, G. Smith, Thompson, Vandeventer and Warren—10.

Those voting in the negative, are,

Messrs. Buford, Cavarly, Constable, Crain, Dunlap, Edwards, Fithian, Forman, Harris, Killpatrick, Leviston, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Nunnally, Parker, Ryan, J. Smith, Waters, Wilbanks, Worthington and Wynne—25.

Mr. Killpatrick moved that the whole subject be indefinitely postponed, which was not agreed to.

And the question then being taken upon the adoption of the amendment to the instructions proposed by Mr. Constable, it was decided in the affirmative.

Mr. Johnson moved to lay the instructions as amended on the table, which was decided in the negative by yeas and nays as follows:

Those voting in the affirmative, are,
Messrs. Allen, Buford, Catlin, Crain, Davis, Dunlap, Edwards, Johnson, Morrison, Ruggles, G. Smith, Thompson and Warren—13.

Those voting in the negative, are,
Messrs. Cavarly, Constable, Fithian, Forman, Harris, Killpatrick, Leviston, Markley, Matteson, McMillan, McMurtry, Minard, Nunnally, Parker, Powers, J. Smith, Waters, Wilbanks, Worthington and Wynne—20.

Mr. Wynne moved further to amend the instructions by adding as follows: "provided always that the commissioners shall have examined critically the professional qualifications of applicants for license prior to granting such licenses;" which was agreed to.

And the question then being taken upon referring said preamble and resolution with the instructions as amended to the committee on Finance; it was decided in the affirmative.

The resolution offered by Mr. Judd, instructing the committee on the Judiciary to inquire into the expediency of extending the jurisdiction of justices of the peace, in certain actions to \$100, &c., was read, and

On motion of Mr. Ruggles,

Amended by striking out the words, "where the title of land does not come in question;" and adopted as amended.

The resolution offered by Mr. Constable, instructing the committee on School lands and Education to inquire into the necessity of a revision of the school laws, &c., was read and adopted.

The preamble and resolution offered by Mr. Crain, on the subject of carrying deadly weapons in a concealed manner in time of peace, were read and adopted.

On motion,

The Senate adjourned.

FRIDAY, DECEMBER 13, 1844.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Sturdyvant.

A message from the House of Representatives by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives, to inform the Senate that they have concurred with them in their amendment to a resolution of the House, providing for the printing of the joint rules, &c., of the two Houses.

The House of Representatives have also concurred with the Senate in their amendment to the resolution of the House, having for its object the election on Saturday next, of certain State's Attorneys and an Attorney General.

The House of Representatives have adopted the following preamble and resolutions, viz:

Whereas, during the last war with Great Britain, a considerable number of individuals of this State formed themselves into companies of Rangers, for the purpose of protecting our frontiers from the ravages of British mercenary soldiers, and the horrors of Indian warfare, which compa-

nies by the endurance of privation and suffering incident to frontier contests with savages, materially aided in protecting our common country from the aforesaid evils; and whereas those individuals have never received any compensation for said services. Therefore,

Resolved, by the General Assembly of the State of Illinois, That our Senators in Congress be instructed, and our Representatives requested to use all proper exertions to have a law passed by the Congress of the United States, providing for the compensation of the aforesaid individuals for their said services.

Resolved, further, that the Governor be requested to transmit a copy of this preamble and resolution to each of our Senators and Representatives in Congress.

Mr. Minard presented a petition from the county commissioner's court of Kane County, praying that an alteration may be made in the present manner of assessing county tax, and on his motion the reading of the same was dispensed with, and said petition referred to the committee on Finance.

Mr. Speaker laid before the Senate the biennial report of the public printers, which was read, and

On motion of Mr. Cavarly,

Laid on the table.

A message from the Governor, by Mr. Campbell, Secretary of State.

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing.

Mr. Forman from the committee on the Judiciary, to which was referred the bill entitled "An act concerning corporations," together with the objections of the Council of Revision to the same, reported back amendments to said bill, so as to obviate the objections of the Council, and

On motion of Mr. Fithian,

Said report was recommitted to the committee on the Judiciary, with instructions to report the facts relative to the loss of the original bill.

Mr. Fithian offered for adoption the following resolution, which lies one day on the table.

Resolved, by the Senate the House of Representatives concurring herein, That whenever any message, bill, report, or document shall be ordered to be printed by the Senate or House, for the use of both Houses, it shall be the duty of the Secretary of the Senate, or Clerk of the House (as the case may be) to immediately report the fact of the passage of said order to the other branch of this General Assembly, together with the number so ordered to be printed, in case it should exceed the number ordered to be printed under the joint rules of both Houses.

Mr. Edwards offered for adoption the following resolutions, which lie one day upon the table.

Resolved, by the Senate the House of Representatives concurring herein, That all acts of incorporation, all acts for the location or changing State roads, and all private acts of any description, and reports of committees shall not be printed unless ordered by a joint resolution of both Houses, provided each House shall have power to order the printing of reports made to their Houses respectively.

Resolved, further, that it shall be the duty of the Secretary of State, to have the private acts copied into a separate book, and the Secretary of

the Senate, and the Clerk of the House shall keep a separate journal of reports, which shall be filed in the office of the Secretary of State, for the inspection of the public; and any person wishing a certified copy of any private act may obtain the same from the office of the Secretary of State.

Mr. G. Smith offered for adoption the following resolution, which lies one day on the table.

Resolved, That the committee on School lands and Education, be requested to enquire into, and ascertain if practicable what benefits if any have resulted to the deaf and dumb children of this State from the liberal appropriation made out of the school fund to the Illinois Asylum for the education of the deaf and dumb; and whether the officers of that institution have made their reports to the Legislature as required by law; and that said committee also enquire into the expediency of repealing the eighth section of the act entitled "An act to establish the Illinois Asylum for the education of the deaf and dumb;" approved February 23, 1839, and that they report by bill or otherwise.

Mr. Warren offered for adoption the following resolution, which lies one day on the table.

Resolved by the Senate, That the committee on Retrenchment, be requested to inquire into the expediency of amending the general election law, relative to the election of President and Vice President of the United States, so that returns of the election of said officers may be made to the Secretary of State by mail under proper restrictions and penalties, instead of employing messengers at the cost of the State to the amount of \$1,400; and that they report by bill or otherwise.

Mr. Speaker laid before the Senate the communication of the Governor, containing the report of Michael Ryan, one of the commissioners appointed to negotiate a loan for the completion of the Illinois and Michigan Canal; which were severally read.

Mr. Judd moved that said communication and report be laid on the table, and 500 copies thereof be printed for the use of the two Houses.

Mr. Killpatrick moved that 200 copies be printed.

And the question being first taken on the motion to lay on the table, and print 500 copies, it was decided in the negative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Buford, Judd, Markley, Matteson, McMillan, McMurtry, Minard, Powers, Ruggles, Vandeventer, Warren, Webb and Wynne—13.

Those voting in the negative, are,

Messrs. Allen, Catlin, Cavarly, Constable, Crain, Dougherty, Edwards, Fithian, Forman, Johnson, Killpatrick, Leviston, Morrison, Nunnally, Parker, J. Smith, G. Smith, Thompson, Waters, Wilbanks and Worthington—21.

Mr. Markley moved that 400 copies of said communication and report be printed for the use of the General Assembly.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The question pending at the adjournment, being upon the motion of Mr. Markley, to lay on the table and print 400 copies of the communication and report from the Governor and commissioner, read on this morning, the same was put and decided in the negative.

The question recurring upon the motion of Mr. Killpatrick, to lay on the table, and print 200 copies of said communication and report,

Mr. Davis moved that 350 copies of said documents be printed for the use aforesaid.

Mr. Killpatrick moved that 501 copies be printed for such use, provided said printing costs no more than \$19 05.

Mr. Webb moved that said papers be laid on the table, and 600 copies thereof printed for the use aforesaid.

Mr. Constable moved that the communication and report be laid on the table; which was not agreed to.

The question was then taken upon the motion to lay on the table, and print 600 copies for the use of the two Houses, and decided in the affirmative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Davis, Fithian, Johnson, Judd, Killpatrick, Markley, Matteson, McMillan, McMurtry, Minard, Powers, Ruggles, J. Smith, Thompson, Vandeventer, Warren, Webb and Wynne—20.

Those voting in the negative, are,

Messrs. Allen, Catlin, Cavarly, Constable, Crain, Dougherty, Dunlap, Edwards, Forman, Harris, Leviston, Morrison, Nunnally, Parker, G. Smith, Waters, Wilbanks and Worthington—18.

Mr. Matteson from the committee on Finance, to which was referred a resolution in relation to the expediency of repealing the law, entitled "An act in relation to the publication of the reports of the decisions of the Supreme Court, &c.," reported the same back together with a bill entitled "An act repealing a part of the law in relation to the decisions of the Supreme Court of the State of Illinois," which was read, and

Ordered to a second reading.

On motion,

The Senate adjourned.

SATURDAY, DECEMBER 14, 1844.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Dresser.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives, to inform the Senate that they have passed bills of the following titles, viz:

"An act authorizing the survey of certain lands therein named," and "An act to change the name of a person therein named."

In the passage of which bills they ask the concurrence of the Senate.

Mr. Vandeventer from the committee on Incorporations, to which was referred the bill entitled "An act to incorporate the university of St. Ma-

ry of the Lake," reported to same back to the Senate with an amendment which was concurred in; and said bill as amended, was

Ordered to be engrossed for a third reading

Mr. Forman from the committee on the Judiciary to which was referred a bill entitled an "Act in relation to corporations" together with the objections of the Council of Revision to the same, made the following report:

Ferris Forman states as a Senator, that "An act in relation to corporations," which was passed by the two Houses of the General Assembly at their last session, and which was sent back to the Senate by the Council of Revision, together with their objections thereto on the first day of the present session, was placed in his hands by the Judiciary committee, (of which committee he is a member) with directions to report back to the Senate certain amendments; that while said act was in his possession, he drafted an act containing the original, the amendment being mere additions to two of the sections thereof, and that after such drafting and before the report was made to the Senate, said act was lost by him, and has not as yet been recovered; and he further states that the loss of said act was not occasioned by negligence, but was caused by an unavoidable accident; said act being in his, said Forman's hat, which was removed from his head in the night time by the wind, at which time said paper was lost.

To the truth of the above statement, I pledge myself as a man of honor and a Senator.

FERRIS FORMAN.

On motion of Mr. Dougherty,

Said report and accompanying papers were laid on the table.

Mr. Speaker laid before the Senate a communication from the Governor, upon executive business, and

On motion of Mr. Parker,

The communication was acted upon with open doors, and read as follows:

EXECUTIVE DEPARTMENT,
Springfield, December 9, 1844.

To the Senate.

I nominate Jacob Young, to be Public Administrator for the County of Lawrence.

Also, James Ewart, to be Notary Public for the County of Cumberland.

THOMAS FORD.

Whereupon,

On motion of Mr. Parker,

The above nominations were severally advised and consented to by the Senate.

A message from the House of Representatives, by Mr. Cloud, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have adopted the following preamble and resolution:

Whereas: It is believed by many of the citizens of the State of Illinois, that the present rate of postage on letters and newspapers is exorbitant, unnecessary and oppressive; and that a reduction on the present rate of postage would materially tend to the dissemination of useful information amongst those who are now deprived of such means by the present price of postage, and at the same time secure to the General Government a sum sufficient to defray the expenses of the Post Office Department; Therefore,

Resolved, by the House of Representatives of the State of Illinois the Senate concurring herein, That our Representatives are requested, and our Senators in Congress instructed to endeavor to procure the passage of a law providing for the reduction of postage on letters, newspapers, pamphlets and periodicals; and that the Governor transmit as soon as practicable, a copy of this preamble and resolution to each of our Senators and Representatives in Congress.

In the adoption of which they ask the concurrence of the Senate.

On motion of Mr. Webb,

Said message was taken up, and the preamble and resolution concurred in.

Ordered, That the Secretary inform the House of Representatives of such concurrence.

Mr. Leviston offered for adoption the following resolution, which lies one day on the table:

Resolved, That the Governor be respectfully requested to inform the Senate of the amount expended already in sending commissioners to England, to negotiate the canal loan provided for by the act of the last Legislature; also, what number of commissioners are now out for that purpose at the expense of the State, and what salary they are receiving.

Mr. Dougherty, on leave given, introduced a bill for "An act concerning corporations," which was read, and

Ordered to a second reading.

Mr. Wilbanks, on leave, introduced a bill for "An act to amend 'An act in relation to free negroes and mulattoes, servants and slaves,'" in force 17th January 1827, which was read, and

Ordered to a second reading.

On motion of Mr. Worthington,

The bill some days since laid on the table entitled "An act to amend an act entitled an act to incorporate the Rush Medical College," together with the proposed amendment thereto was taken up, and said amendment agreed to.

Mr. Judd moved to further amend said bill by striking out all of the second section.

Mr. Constable moved to refer said bill to the committee on the Judiciary, which was not agreed to.

And the question being taken on striking out the second section, it was decided in the affirmative, and

Said bill as amended,

Ordered to be engrossed and read a third time.

On motion of Mr. Edwards,

The rule of the Senate was dispensed with, and the following resolution read and adopted, viz:

Resolved, That the use of the Senate Chamber be granted to the Wash-

ingtonian Society, on Monday evening next, after the adjournment of the Senate.

The orders of the day were taken up, and the bill entitled "An act for the relief of persons damaged by the flood of 1844," was read the second time.

Mr. Forman moved to refer said bill to the committee on the Judiciary.

Mr. G. Smith moved to amend the motion so as to make it a motion to refer with the following instructions, viz: "to report a substitute making a direct appropriation out of the State Treasury to those persons, who are now suffering for want of food caused by the overflowing of the waters of the Mississippi during the past summer."

Mr. Harris moved to lay the proposed instructions on the table, which was agreed to.

And the question then being taken upon referring said bill to the committee on the Judiciary; it was decided in the affirmative.

The bill entitled "An act repealing a part of the law in relation to the decisions of the Supreme Court of the State of Illinois;" was read the second time, and

On motion of Mr. Minard,

Referred to the committee on Finance.

The preamble and resolution contained in the message from the House of Representatives, instructing our Senators and requesting our members in Congress to use all proper exertions for the passage of a law providing for the compensation of soldiers who acted as Rangers in this State during the last war with Great Britain, being under consideration.

Mr. Constable moved to amend the preamble by inserting the word "adequate" between the words "any" and "compensation."

Mr. J. Smith moved to refer said preamble and resolution together with the proposed amendment to the same, to the committee on Military Affairs; which was decided in the affirmative.

The bills from the House of Representatives, entitled "An act authorizing the survey of certain lands therein named."

"An act to change the name of a person therein named," were severally read, and

Ordered to a second reading.

The joint resolution of Mr. Fithian, in relation to the printing of messages, bills, reports or documents, and the duty of the Secretary of the Senate, and Clerk of the House of Representatives in certain cases, was read and adopted.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

The resolution offered by Mr. Killpatrick, instructing the committee on Internal Improvements, to inquire into the situation of the Naples Branch of the Northern Cross Railroad, &c., was read and adopted.

The resolutions offered by Mr. Nunnally, having for their object a diminution of the salaries of the Governor, Chief Justice, and associate Justices of the Supreme Court, were read, and the yeas and nays being demanded on the question of their adoption, it was decided in the affirmative as follows:

Those voting in the affirmative, are,

Messrs. Allen, Catlin, Cavarly, Constable, Crain, Dougherty, Dunlap,

Forman, Harris, Johnson, Leviston, Markley, Matteson, McMillan, McMurtry, Morrison, Nunnally, Parker, Powers, G. Smith, Thompson, Vandeventer, Warren, Waters and Wilbanks—25.

Those voting in the negative, are,

Messrs. Boal, Davis, Edwards, Fithian, Killpatrick, Minard, Ruggles, Ryan, J. Smith, Worthington and Wynne—11.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

The resolutions offered by Mr. Edwards, in relation to the printing of acts of incorporation, acts for the location or changing of State roads, private acts of any description, &c., were read.

Mr. Ruggles called for a division of the question, so that the vote might be taken on the adoption of said resolutions separately.

On the question, "Shall the first of said resolutions be adopted?" it was decided in the affirmative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Boal, Catlin, Cavarly, Constable, Crain, Dougherty, Dunlap, Edwards, Fithian, Forman, Johnson, Leviston, Markley, Matteson, Morrison, Parker, Powers, Ruggles, J. Smith, G. Smith, Thompson, Vandeventer, Warren, Waters, Worthington and Wynne—26.

Those voting in the negative, are,

Messrs. Allen, Davis, Harris, Killpatrick, McMillan, McMurtry, Minard, Nunnally and Wilbanks—9.

Pending the question on the adoption of the second of said resolutions,

Mr. Constable moved to amend the same by adding thereto the following:

"An authenticated copy of which shall be furnished to the applicant by the Secretary of State without charge."

On motion of Mr. Harris,

Said second resolution was referred to the committee on the Judiciary.

Mr. Dougherty moved that the vote just taken by yeas and nays, on the adoption of said first resolution be re-considered.

On motion,

The Senate adjourned, to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Cloud their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that the House is now ready to receive the Senate in the Hall of the House of Representatives, for the election of State's Attorneys and Attorney General in pursuance of a joint resolution of the two Houses.

Whereupon the Honorable the Senate preceded by Mr. Speaker repaired to the Hall of the House of Representatives, and the two Houses then proceeded to the election of an Attorney General, and State

Attorneys for the first, second, third, fourth, fifth, sixth and ninth Judicial Circuits as follows:

Mr. Starne of the House of Representatives nominated James A. McDougall, for the office of Attorney General, and

On motion of Mr. Davis of McLean,

James A. McDougall was unanimously elected Attorney General of the State of Illinois, and so declared by the Speaker of the House of Representatives.

The two Houses then proceeded to the election of State's Attorney for the first Judicial Circuit.

Mr. Vedder of the House of Representatives nominated C. H. Goodrich.

Mr. White of Scott, nominated M. W. Delaha.

And the vote being taken stood thus.

For C. H. Goodrich—110.

For M. W. Delaha—15.

For Blank—17.

For Alton—1.

Those who voted for C. H. Goodrich, are

Messrs. Allen, Buford, Catlin, Cavarly, Crain, Davis, Dunlap, Fithian, Forman, Harris, Leviston, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Nunnally, Parker, Ruggles, Ryan, Smith of Adams, Smith of Madison, Thompson, Vandeventer, Warren and Wilbanks of the Senate, and

Messrs. Adams, Alexander, Anderson of Lawrence, Armstrong, Arnold, Babbitt, Backenstos, Barnsback, Benedict, Blair, Boyakin, Bradley, Brinkley, Brown, Burnett, Butler, Churchill, Campbell, Cochran, Cox, Cushman, Davis of Williamson, Denning, Deskines, Dunbar, Funkhouser, Hannaford, Hendry, Hick, Hicks, Hitt, Huffman, Jackson of McHenry, Jackson of Stark, Janney, Jewell, Kuykendall, Lockard, Loop, Manning, McDonald, Matthews, Miller of Adams, Miller of Fulton, Moore, Morrille, Morris, Morrison, Nye, O'Connor, Oglesby, Parrish, Pitner, Prevo, Reed, Ricks, Robbins, Ross, Scott of De Witt, Scott of Macoupin, Sharp, Smith of Bureau, Smith of Stephenson, Starkweather, Starne, Steele, Stewart, Thompson, Tunnel, Turley, Vedder, Vineyard, Wagner, Warren, White of Washington, Whiteside, Wilkinson, Woollard, Wood, Woodburn, Youngkin, Zieber and Mr. Speaker of the House of Representatives—110.

For M. W. Dellaha.

Messrs. Edwards, Henry and Killpatrick, of the Senate, and

Messrs. Arenz, Davis of McLean, Emerson, Henderson, Leighton, Logan, Metz, Pickering, Pratt, Smith of Sangamon, White of Scott and Yates of the House of Representatives.—15.

Those who voted blank, are,

Messrs. Boal, Constable, Johnson, Powers, Waters and Worthington, on the part of the Senate, and Messrs. Hanson, Harper, Harriott, Herdon, Miller of Winnebago, Myers, Rawlings, Strong, White of Menard, Wilcox and Williams, of the House of Representatives—17.

Mr. Kirkpatrick of the House of Representatives voted for Alton—1.

Mr. Goodrich having received a majority of all the votes given, was

declared by the Speaker of the House of Representatives, duly elected State's Attorney for the first judicial circuit of the State of Illinois.

The two Houses then proceeded to the election of State's Attorney for the second Judicial circuit.

Mr. Thompson of the House nominated W. H. Bissell, and

On motion of Mr. Whiteside,

William H. Bissell was unanimously elected State's Attorney for the second judicial circuit of the State of Illinois, and so declared by the Speaker of the House of Representatives.

The two Houses then proceeded to the election of State's Attorney for the third judicial circuit.

Mr. Allen of the Senate, nominated William A. Denning, and

On motion of Mr. Allen,

William A. Denning was unanimously elected State's Attorney for the third judicial circuit of the State of Illinois, and was so declared by the Speaker of the House of Representatives.

The two Houses then proceeded to the election of State's Attorney for the fourth judicial circuit.

Mr. Anderson of Lawrence, nominated Aaron Shaw, and

On motion of Mr. Anderson,

Aaron Shaw was unanimously elected State's Attorney for the fourth judicial circuit of the State of Illinois, and was so declared by the Speaker of the House of Representatives.

The two Houses then proceeded to the election of State's Attorney for the fifth judicial circuit.

Mr. Sharp of the House of Representatives nominated William Elliott.

Mr. Yates of the House of Representatives nominated Robert S. Blackwell.

And the vote being taken stood thus.

For William Elliott—105.

For Robert S. Blackwell—19.

For Scattering—18.

Those voting for Mr. Elliott, on the part of the Senate, are

Messrs. Allen, Buford, Catlin, Cavarly, Constable, Crain, Davis, Dougherty, Dunlap, Fithian, Forman, Harris, Judd, Leviston, Markley, Matteson, McMillan, McMurtry, Morrison, Nunnally, Parker, Ryan, Smith of Adams, Smith of Madison, Thompson, Vandeventer, Warren and Wilbanks.

On the part of the House,

Messrs. Adams, Alexander, Anderson of Lawrence, Anderson of St. Clair, Armstrong, Arnold, Babbitt, Backenstos, Barnsback, Benedict, Blair, Boyakin, Bradley, Brinkley, Brown, Burnett, Butler, Campbell, Cochran, Cox, Cushman, Davis of Williamson, Denning, Deskines, Funkhouser, Hannaford, Hick, Hicks, Huffman, Jackson of McHenry, Jackson of Stark, Janney, Jewell, Kirkpatrick, Kuykendall, Loop, Manning, McDonald, Miller of Adams, Miller of Fulton, Moore, Morrille, Morris, Nye, O'Connor, Oglesby, Parrish, Pitner, Prevo, Reed, Ricks, Robbins, Ross, Scott of De Witt, Scott of Macoupin, Sexton, Sharp, Smith of Bureau, Starkweather, Starne, Steele, Stewart, Thompson, Tunnel, Turley, Vedder, Vineyard, Wagner, Warren, White of Wash-

ington, Whiteside, Wilkinson, Woollard, Wood, Woodburn, Zieber and Mr. Speaker.—105.

Those who voted for Mr. Blackwell, on the part of the Senate, were Messrs. Boal, Killpatrick, Waters and Webb.

On the part of the House,

Messrs. Arenz, Churchill, Davis of McLean, Emerson, Hitt, Lockard, Logan, Matthews, Metz, Morrison, Myers, Pratt, Smith of Sangamon, Wilcox and Yates.—19.

Messrs. Leighton, Pickering, Rawlings and White of Scott of the House of Representatives voted for Mr. Hanson—4.

Messrs. Smith of Stephenson, and Strong, of the House of Representatives, voted for Mr. Henderson—2.

Mr. Dunbar voted for Mr. Benedict—1.

Mr. Hanson voted for Mr. Dunbar—1.

Mr. Henderson voted for Mr. Strong—1.

Mr. Miller of Winnebago, voted for Mr. Deskines—1.

Mr. Youngkin voted for Mr. Yates—1.

Messrs. Johnson, Powers, Ruggles and Worthington, of the Senate, and Messrs. Harper, Harriott and Williams, of the House, voted blank—7.

Mr. Elliott having received a majority of all the votes given, was, declared by the Speaker of the House of Representatives duly elected State's Attorney for the fifth judicial circuit of the State of Illinois.

The two Houses then proceeded to vote for State's Attorney for the sixth judicial circuit

Mr. Wilkinson of the House of Representatives nominated James L. Loop, and

On motion of Mr. Wilkinson,

James L. Loop was unanimously elected State's Attorney for the sixth judicial circuit of the State of Illinois, and was so declared by the Speaker of the House of Representatives.

The two Houses then proceeded to vote *viva voce*, for a State's Attorney for the ninth judicial circuit.

Mr. Armstrong nominated B. F. Fridley.

Mr. Hannaford nominated Wm. L. May.

Mr. Jackson of McHenry, nominated E. D. Harvey.

Mr. Morrille nominated E. A. Ames.

Those voting for Mr. Fridley, on the part of the Senate, are

Messrs. Davis, Edwards, Markley, Matteson, Ruggles, Ryan, Smith of Adams, and Webb.

On the part of the House,

Messrs. Adams, Arenz, Armstrong, Backenstos, Benedict, Bradley, Brinkley, Brown, Cochran, Cox, Davis of Williamson, Funkhouser, Henderson, Hendry, Hitt, Jewell, Kirkpatrick, Kuykendall, Leighton, Lockard, Lott, Matthews, Miller of Adams, Miller of Winnebago, Nye, O'Connor, Oglesby, Parrish, Pitner, Rawlings, Ricks, Scott of De Witt, Scott of Macoupin, Smith of Bureau, Smith of Stephenson, Tunnel, Turley, Vedder, Wagner, Warren, White of Scott, Wood and Yates.—51.

Those voting for Mr. May, on the part of the Senate, are

Messrs. Boal, Buford, Dougherty, Dunlap, Forman, Harris, Leviston, McMillan, McMurtry, Nunnally, Parker, Powers, Smith of Madison, Thompson, Vandeventer, Warren, Wilbanks and Worthington.

On the part of the House,
Messrs. Alexander, Blair, Boyakin, Burnett, Cushman, Davis of McLean, Hannaford, Hick, Hicks, Jackson of Stark, Logan, Manning, Metz, Moore, Myers, Pickering, Prevo, Ross, Sharp, Smith of Sangamon, Starkweather, Starne, White of Washington, Whiteside, Wilcox, Williams, Woodburn, Zieber and Mr. Speaker.—47.

Those voting for Mr. Harvey on the part of the Senate, are
Messrs. Crain, Johnson, Minard and Morrison.

On the part of the House,
Messrs. Arnold, Babbitt, Barnsback, Butler, Churchill, Jackson of McHenry, Loop and Reed.—12.

Those voting for Mr. E. A. Ames on the part of the Senate, are,
Messrs. Allen, Catlin, Constable, Fithian, Killpatrick and Waters.

On the part of the House,
Messrs. Anderson of Lawrence, Anderson of St. Clair, Campbell, Denning, Emerson, Huffman, Janney, McDonald, Miller of Fulton, Morille, Morris, Morrison, Prevo, Robbins, Sexton, Steele, Stewart, Strong, Thompson, Vineyard, Wilkinson, Woollard and Youngkin—29.

Mr. Deskines of the House of Representatives, voted for Mr. Miller of Winnebago.

Mr. Dunbar of the House of Representatives, voted for Mr. Deskines.

Mr. Hanson of the House of Representatives, voted for Mr. Pickering.

Those voting blank, are,

Messrs. Cavarly and Henry of the Senate, and

Messrs. Harper, Harriott, Herndon, and Smith of Sangamon, of the House of Representatives.

No person having received a majority of all the votes given, the two Houses proceeded to a second vote for such State's Attorney; when the vote stood thus:

Those voting for Mr. Fridley on the part of the Senate, are,

Messrs. Crain, Davis, Edwards, Fithian, Killpatrick, Markley, Matteson, Minard, Ruggles, Ryan, Smith of Adams and Webb.

On the part of the House.

Messrs. Adams, Anderson of St. Clair, Arenz, Armstrong, Babbitt, Backenstos, Barnsback, Benedict, Bradley, Brinkley, Brown, Campbell, Cochran, Collins, Cox, Davis of Williamson, Denning, Deskines, Funkhouser, Gregg, Henderson, Hendry, Hitt, Huffman, Jackson of McHenry, Jewell, Kirkpatrick, Kuykendall, Leighton, Loop, Lott, McDonald, Matthews, Miller of Adams, Miller of Fulton, Miller of Winnebago, Nye, O'Connor, Parrish, Pitner, Pratt, Rawlings, Reed, Ricks, Robbins, Scott, of De Witt, Scott of Macoupin, Smith of Bureau, Smith of Stephenson, Stewart, Strong, Thompson, Tunnel, Turley, Vedder, Wagner, Warren, White of Scott, Wilkinson, Woollard, Wood and Yates—74.

Those voting for Mr. May, on the part of the Senate, are

Messrs. Boal, Buford, Catlin, Dougherty, Dunlap, Forman, Harris, Leviston, McMillan, McMurtry, Morrison, Nunnally, Parker, Powers, Smith of Madison, Thompson, Vandeventer, Warren, Wilbanks and Worthington.

On the part of the House,

Messrs. Alexander, Anderson of Lawrence, Blair, Boyakin, Burnett

Butler, Cushman, Davis of McLean, Dunbar, Emerson, Hannaford, Hanson, Harper, Hick, Hicks, Jackson of Stark, Janney, Logan, Manning, Metz, Moore, Morrille, Morris, Morrison, Myers, Oglesby, Pickering, Prevo, Ross, Sexton, Sharp, Smith of Sangamon, Starkweather, Starne, Steele, Vineyard, White of Menard, White of Washington, Whiteside, Wilcox, Williams, Woodburn, Youngkin and Zieber.—64.

Those voting for Mr. Harvey, are,
Messrs. Arnold and Churchill of the House.

Those voting for Mr. Ames, on the part of the Senate, are
Messrs. Allen, Constable, Johnson and Waters.

On the part of the House, Mr. Lockard.

Messrs. Cavarly and Henry of the Senate, and Messrs. Harriott, Herndon and Mr. Speaker of the House voted blank.

No person having yet received a majority of all the votes given, the two Houses proceeded to a third vote for such State's Attorney, as follows:

Those voting for Mr. Fridley, are, on the part of the Senate,
Messrs. Allen, Constable, Crain, Davis, Fithian, Harris, Killpatrick, Markley, Matteson, Minard, Ruggles, Ryan, J. Smith, Waters and Webb.

On the part of the House,

Messrs. Adams, Alexander, Anderson of St. Clair, Arenz, Armstrong, Arnold, Babbitt, Backenstos, Barnsback, Benedict, Bradley, Brinkley, Brown, Campbell, Cochran, Collins, Cox, Davis of Williamson, Denning, Funkhouser, Gregg, Henderson, Hendry, Herndon, Hitt, Jackson of McHenry, Jewell, Kirkpatrick, Kuykendall, Leighton, Lockard, Loop, Lott, Matthews, Miller of Adams, Miller of Fulton, Miller of Winnebago, Morrille, Nye, O'Connor, Parrish, Pitner, Pratt, Rawlings, Reed, Ricks, Scott of De Witt, Scott of Macoupin, Smith of Bureau, Smith of Stephenson, Starkweather, Steele, Stewart, Strong, Tunnel, Turley, Vedder, Wagner, Warren, White of Scott, Whiteside, Wilkinson, Woollard Wood, Yates and Youngkin—81.

Those voting for Mr. May, are, on the part of the Senate,

Messrs. Boal, Buford, Catlin, Cavarly Dougherty, Dunlap, Edwards, Forman, Johnson, Leviston, McMillan, McMurtry, Morrison, Nunnally, Parker, Powers, G. Smith, Thompson, Vandeventer, Warren, Wilbanks and Worthington.

On the part of the House,

Messrs. Anderson of Lawrence, Blair, Boyakin, Burnett, Butler, Churchill, Cushman, Davis of McLean, Deskines, Dunbar, Emerson, Hannaford, Hanson, Harper, Hick, Hicks, Huffman, Jackson of Stark, Janney, Logan, Manning, McDonald, Metz, Moore, Morris, Morrison, Myers, Oglesby, Pickering, Prevo, Robbins, Ross, Sexton, Sharp, Smith of Sangamon, Starne, Thompson, Vineyard, White of Menard, White of Washington, Wilcox, Williams, Woodburn, Zieber and Mr. Speaker—67.

Mr. Henry of the Senate, and Mr. Harriott of the House, voted blank.

Mr. Fridley having received a majority of all the votes given, was declared by the Speaker of the House of Representatives to be duly elected State's Attorney for the ninth judicial circuit of the State of Illinois.

Whereupon, the Senate returned to their chamber; and

On motion,
Adjourned.

MONDAY, DECEMBER 16, 1844.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Richmond.

Mr. Harrison, Senator from the counties of Jo Daviess, Stephenson and Carroll, appeared and took his seat.

A message from the House of Representatives, by Mr. Cloud, their Clerk:

Mr. Speaker: I am directed by the House of Representatives, to inform the Senate, that they have adopted the following resolution, viz:

Resolved, by the House of Representatives, the Senate concurring herein, That the Secretary of State be requested to transmit a copy of "An act granting the right to the General Government, to establish an armory at Fort Massac," to each of our Representatives and Senators in Congress; in the adoption of which they ask the concurrence of the Senate.

I am also directed to inform the Senate that the House of Representatives have adopted the following preamble and resolution:

Whereas, in the opinion of this House, the object of all governments is the prosperity and happiness of the individuals composing such Governments; and whereas, the Government of the United States is such that, in a federate capacity, it has extended relief to such citizens of the several States as have suffered by uncommon providential calamity, and as a precedent did relieve the citizens of New Madrid, who suffered by the earthquake that happened in the year 1812; and whereas, the late high flood is one of the greatest providential calamities that ever happened to any of the people of these United States, having laid waste and rendered utterly useless the plantations of a great number of the citizens of this State, destroyed their dwellings, their provisions, and other personal property, and left them destitute of the means of subsistence; Therefore,

Resolved, by the House of Representatives of the State of Illinois, the Senate concurring herein, That a joint committee of three on the part the House, and two on the part of the Senate, be appointed to draw up a memorial to be presented to Congress, praying Congress to extend relief to such inhabitants as have suffered by the late Mississippi and Illinois flood.

The House have appointed Messrs. Robbins, Whiteside and Yates, the committee on their part.

In the adoption of which preamble and resolution they ask the concurrence of the Senate.

The question recurring on the question pending at the time of adjournment on Saturday morning, which was upon the motion of Mr. Dougherty to reconsider the vote taken on the adoption of the resolution of Mr. Edwards, in relation to the printing of all acts of a private and local nature,

Said resolution was,

On motion of Mr. McMurtry,

Laid on the table.

Mr. Thompson from the committee on School Lands and Education, to which was referred a bill from the House of Representatives, entitled "An act in relation to common schools," reported the same back without amendment and recommended its passage, and said bill was

Ordered to a third reading.

On motion of Mr. Killpatrick,

The rule of the Senate was dispensed with, said bill read a third time, and

On motion of Mr. G. Smith,

Recommitted to the committee on School Lands and Education.

On motion of Mr. Edwards,

The resolution just laid on the table in relation to the printing of acts of a private nature was taken up,

And the question recurring on the motion of Mr. Dougherty, to reconsider the vote on the adoption of said resolution, it was decided in the affirmative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Buford, Catlin, Constable, Crain, Davis, Dougherty Forman, Harris, Henry, Johnson, Judd, Killpatrick, Leviston, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Nunnally, Parker, Powers, Ruggles, Ryan, J. Smith, Thompson, Vandeventer, Warren, Waters, Wilbanks and Wynne—32.

Those voting in the negative, are,

Messrs. Boal, Cavarly, Dunlap, Edwards, Fithian, Harrison, G. Smith, Webb and Worthington—9.

On motion of Mr. Cavarly,

Said resolution was referred to the committee on the judiciary with the following instructions:

“That said committee report a bill to print the private acts in a volume by themselves, and such a number only as will be sufficient to supply one copy for each county in the State, and a like number for future distribution, to be deposited in the office of the Secretary of State.”

Mr. Crain, from the committee on elections, to which was referred a resolution proposing to amend the law so as to restrict voters to their respective precincts, &c., reported the same back and asked to be discharged from the further consideration of the subject, which was agreed to.

And said resolution,

On motion of Mr. Harris,

Was laid on the table.

On motion of Mr. Fithian,

The rule of the Senate was dispensed with, and the following resolution read and adopted, to wit:

Resolved, That his Excellency, the Governor, be respectfully requested to report to the Senate at his earliest convenience, whether or not he has appointed one or more appraisers to assess the damages to the contractors on the jobs and lettings on the Illinois and Michigan Canal. If the appointment has been made, who was so appointed? How long have they been engaged in making such appraisal? What compensation has been allowed them? What the amount of damage assessed by them; and whether in any case, an appeal has been taken from the decision of said appraisers?

Mr. Ryan offered for adoption the following preamble and resolution which lie one day on the table.

Whereas, an institution, under the name and title of the Wisconsin Marine and Fire Insurance Company, has been and still is, it is believed, issuing notes and bills of credit within the limits of this State, designed to form a circulating medium; and whereas, great losses have already been

sustained by the people in the depreciation of bank paper; and whereas, it is unwise, inexpedient, and dangerous to permit irresponsible companies, to issue bills of credit, or notes to be used as money; Therefore,

Resolved, That the committee on the Judiciary be instructed to enquire into the expediency of so amending the laws as to make it a penal offence to issue bills of credit, bank notes, notes of Fire Insurance Companies, or the notes or paper of any other companies as a circulating medium without authority of law.

Mr. Constable, on leave given, introduced a bill entitled "An act authorizing administrators and executors from other States to prosecute suits in this State," which was read, and

Ordered to a second reading.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The bill entitled "An act to amend an act, entitled 'An act to incorporate the Rush Medical College,'" was read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

The bill entitled "An act to incorporate the University of St. Mary of the Lake," was read a third time.

Mr. Constable moved to amend said bill by adding the following as an additional section.

"That this incorporation shall at all times be subject to alteration, modification, amendment or repeal at the discretion of the General Assembly of this State."

Mr. Minard moved to lay the proposed amendment on the table, which was decided in the affirmative.

And on the question, "Shall the bill pass?" It was decided in the affirmative.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion of Mr. Dougherty,

The order of business was suspended, and

Mr. Dougherty, from the committee on the Judiciary. to which was referred a bill entitled "An act to repeal the act entitled 'An act to incorporate the City of Nauvoo,' " approved Dec. 16, 1840, reported the same back with an amendment which was concurred in.

Mr. Killpatrick moved further to amend said bill by striking out so much of the first section as relates to Nauvoo, and insert as follows:

"That the second, twenty-fifth, and twenty-seventh sections of an act entitled an act to incorporate the City of Nauvoo, approved December 16, 1840, and so much of the seventeenth section of said act as authorizes the municipal court of said City, to grant writs of habeas corpus, be and the same is hereby repealed. The City authorities of Nauvoo shall in no case pass any by-law or ordinance to conflict in any respect with the Constitu-

tion of the United States or of this State, or that shall conflict with the provisions of any law enacted by the Legislature of this State."

On motion,

The Senate adjourned.

TUESDAY, DECEMBER 17, 1844.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Richmond.

Mr. Matteson presented the petition of Stephen R. Beggs, in relation to a wrong assessment of his property in La Salle county, in the years 1841-2, the reading of which, was

On motion of Mr. Matteson,

Dispensed with, and the petition referred to the committee on Petitions.

Mr. J. Smith presented three petitions of sundry citizens of Marquette county, praying the passage of a law granting to said county additional territory from the eastern portion of Adams county, &c., which were read, and

On motion of Mr. J. Smith,

Referred to the committee on Counties.

Mr. Matteson from the committee on Finance, to which was referred a bill for "An act repealing a part of the law in relation to the decisions of the Supreme Court of the State of Illinois," reported the same back to the Senate, with an amendment, and recommended the passage of said bill.

The question was then taken on concurring with said committee in their amendment, and decided in the affirmative, by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Catlin, Cavarly, Crain, Dunlap, Edwards, Harris, Johnson, Markley, Matteson, McMillan, Minard, Morrisou, Nunnally, Parker, Ruggles, G. Smith, Thompson, Vandeventer, Warren, Waters, Webb, Wilbanks and Wynne—25.

Those voting in the negative, are,

Messrs. Allen, Constable, Dougherty, Forman, Harrison, Henry, Killpatrick, Leviston, McMurtry, Powers, Ryan and J. Smith—12.

On motion of Mr. Dougherty,

Said bill and amendment were referred to the committee on the Judiciary.

A message from the House of Representatives by Mr. McDonald their Assistant Clerk.

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have adopted the following resolution, viz:

Resolved by the General Assembly of the State of Illinois, That it be recommended to the electors of this State, at the next general election for members of the General Assembly to vote for or against a convention to amend the Constitution of this State."

(The foregoing resolution was adopted by a vote of 99 to 9, being more than two-thirds of all the members elected to the House of Representatives of the General Assembly.)

In the adoption of which, they ask the concurrence of the Senate.

The House of Representatives have also adopted the following resolution:

Resolved, That a joint select committee, consisting of three members on the part of the House, and two on the part of the Senate be raised, whose duty it shall be to examine the books and papers in and pertaining to the Executive Departments, and to make an examination into the public expenditures, and report the result of such examination; and also to report in detail what retrenchment can be made in the public expenditure.

The House have appointed Messrs. Zieber, Anderson of Lawrence, and Logan, said committee on their part.

The House of Representatives have also adopted the following preamble and resolution:

Whereas, The people of the State of Illinois feel a deep interest in the speedy completion of the National Road in said State; Therefore,

Resolved, by the House of Representatives, the Senate concurring herein, That our Senators in Congress be instructed, and our Representatives requested to use their influence to procure the passage of a law, making an appropriation of money for the speedy completion of said road in the State of Illinois; and the Governor of this State is hereby requested to forward a copy of the above resolution to each of our members in Congress.

In the adoption of which they ask the concurrence of the Senate.

A message from the Governor, by Mr. Campbell, Secretary of State.

Mr. Speaker: I am directed by the Governor, to lay before the Senate two communications in writing.

Mr. Matteson from the committee on Finance, to which was referred the resolution offered by Mr. Fithian, regulating the number of copies of reports of the present session to be printed, reported the following resolution, which was read and concurred in:

Resolved by the Senate, the House concurring herein, That 300 copies of the volume of reports made at the present General Assembly shall be printed, two of said volumes to be distributed to each county in this State, and the balance to be deposited in the Secretary's office, for the use of the General Assembly of this State.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Cavarly, from the committee on the Judiciary, to which was referred the resolution of Mr. Edwards, in relation to the printing of all acts, &c., of a private nature, reported the same back together with a bill entitled "An act concerning the private acts of the General Assembly;" which was read, and

Ordered to a second reading.

Mr. Cavarly, from the same committee, to which was referred a resolution offered by Mr. Edwards, in relation to reports to be kept in a separate Journal, reported the same back and asked to be discharged from the further consideration of the subject, which was agreed to, and

On motion of Mr. Cavarly,

Said resolution was laid on the table.

Mr. Warren, on leave given, introduced a bill entitled "An act for the relief of the Jordan district in township ten north, range four, east of

the third principal meridian, in the county of Shelby," which was read, and

Ordered to a second reading, and

On motion of Mr. Warren,

The rule of the Senate was dispensed with, said bill read the second time by its title, and

Ordered to be engrossed for a third reading.

On motion, the rule of the Senate was further dispensed with, and said bill read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Speaker laid before the Senate the report of the Auditor of Public Accounts, made in compliance with a resolution of the Senate, requesting certain information relative to the sale of the public property in pursuance of an act of the last General Assembly; which report was read, and

On motion of Mr. Webb,

Laid on the table.

Mr. Speaker announced a communication from the Governor on Executive business; which was

On motion of Mr. Parker,

Acted upon with open doors, and read as follows:

EXECUTIVE DEPARTMENT,
Springfield, December 5, 1844.

To the Senate:

I nominate David Evey, to be Public Administrator for the County of Shelby.

THOMAS FORD.

On motion of Mr. Warren,

Said nomination was advised and consented to.

Mr. Speaker laid before the Senate another communication from the Governor, in relation to the \$500,000 in State bonds to be surrendered by the Bank of Illinois at Shawneetown, under the provisions of an act of the last General Assembly, and in relation to the action of the Governor on the part of the State, and the President of said Bank, with reference to certain bonds offered by the said Bank; which communication together with the accompanying papers, marked A, and B, were read, and

On motion of Mr. Dougherty,

Referred to the committee on Internal Improvements.

Mr. Speaker appointed Mr. Judd an additional member of the committee on the Judiciary.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Killpatrick offered for adoption the following resolution, which lies one day on the table.

Resolved, That his Excellency, the Governor, be respectfully requested to lay before the Senate at his earliest convenience, the amount paid or to be paid to the agents appointed by his Excellency, to negotiate the loan of sixteen hundred thousand dollars authorized by an act of the last General Assembly, entitled an act to provide for the completion of the Illinois and Michigan Canal, and for the payment of the canal debt, together with all other expenses attending said agency and negotiations since the adjournment of the last General Assembly; also, that his Excellency furnish the Senate with a full statement of the amount paid or to be paid to attorneys, agents, counsellors, officers and militia summoned by him to quell the riots in the county of Hancock, together with the amount paid or to be paid for any other purpose connected with the Mormon difficulties since the adjournment of the last General Assembly.

On motion of Mr. Constable,

The rule of the Senate was dispensed with, and the following resolution offered by him, read and adopted:

Resolved, That the Auditor of Public Accounts be respectfully requested to inform the Senate upon what authority he has drawn warrants upon the State Treasury, from the 1st day of December, 1842, to the 1st day of December 1844, in favor of the Governor, for \$4,154 54; in favor of the Auditor, for \$4,601 65; in favor of the Secretary of State, \$3,188 23; in favor of the Treasurer of State, for \$2,250 00; and that he furnish such information as soon as practicable.

Mr. Cavarly moved the adoption of the following resolutions, and on his motion the rule of the Senate was dispensed with, and said resolutions read and adopted as follows:

Resolved by the Senate, the House of Representatives concurring herein, That the Auditor of Public Accounts make out without delay a list of the names of all the collectors of the State revenue, who have failed to pay over the same according to law, together with the amount chargeable against each of said collectors, and that he deliver the same to the Attorney General.

Resolved, That said Attorney General be required to commence suits on the first day of February next, against each of said delinquent collectors.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Fithian offered for adoption the following resolution, which lies one day on the table:

Resolved, That the committee on the Judiciary be instructed to report a bill incorporating a company to take and complete a part, or all the projected Internal Improvements in this State; said bill to be based upon the following principles:

1. The act of incorporation to continue in force thirty years, and to be guarded with such restrictions as the committee may deem advisable.

2. To provide that the company shall take and complete the Illinois and Michigan Canal, upon a plan to be embodied in said bill within a stipulated period.

3. To leave it optional with the company to finish no part, any part, or all the projected Railroads in the State.

4. The company to be bound to deliver to the State the one-half of the

present liabilities of the State, contracted on account of the system of Internal Improvements, and the Illinois and Michigan Canal within such time as the committee may fix upon, and the remaining half within thirty years.

5. Upon the organization of said company, in conformity with the provisions of the act of incorporation, the Governor to be authorized to place in their possession the bed of the Illinois and Michigan Canal, and the land over which the same passes, including its banks, margins, tow-paths, feeders, basins, right of way, locks, dams, water-power, structures, stone excavated, and stone and materials quarried, purchased, procured or collected for its construction; and all the property, right, title and interest of the State, of, in and to the said Canal, with all the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and also all the remaining lands and lots belonging to the said Canal fund, or which may be hereafter given, granted, or donated, by the General Government to the State, to aid in the construction of said Canal, and the buildings and erections belonging to the State thereon situated, together with all notes, bonds, and obligations due or to become due to the State, for any and all Canal property heretofore sold by the State; as also, every and all property, real, personal and mixed belonging or in anywise appertaining to the Canal fund; as also, all the railroad lines, railroad iron, lands purchased with Internal Improvement funds, and all materials and instruments belonging to, or in anywise appertaining to the Internal Improvement system; as also, two hundred and ten thousand acres of land granted to the State by "An act to appropriate the proceeds of sales of public lands, and to grant pre-emption rights," approved September 4th, 1841; as also, all depots and depot property situated on any and all the railroad lines in the State; and all the unappropriated Saline Lands belonging to the State; as also, all the amounts due, or to become due to the State from purchasers, commissioners, or lessees of Saline lands.

6. That the State shall retain a lien upon all the real estate transferred to said company, until the whole of the State's indebtedness as contemplated as above, shall be liquidated and delivered to the State.

7. That upon said company delivering to the State all her indebtedness contracted on account of the system of Internal Improvements, and the Illinois and Michigan Canal, the State to pay to said company one million of dollars in cash, or in lieu thereof to deliver to said company one million of dollars in State bonds, bearing an interest of six per centum per annum.

8. To provide for the creation of a sinking fund fully securing the payment of the interest annually on said bonds, and finally their liquidation.

9. All the lands transferred to the company by the State, to be exempt from taxation for the period of fifteen years.

Mr. Ruggles, on leave given, introduced a bill entitled "An act for the disposition of unclaimed costs in certain cases," which was read, and

Ordered, to a second reading.

A message from the House of Representatives, by Mr. D. Davis, a member:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with them in the adoption of their

resolution, calling upon the Governor and the Chief Justice and Associate Justices of the Supreme Court to relinquish to the State 25 per cent. of their salaries.

The House of Representatives have also concurred with the Senate in the adoption of their resolution concerning the printing of messages, bills, reports, &c., for the use of the two Houses.

The question then recurring on the question pending on the adjournment of the Senate on yesterday, which was on the adoption of the amendment proposed by Mr. Killpatrick, to the bill entitled "An act to repeal the act entitled an act to incorporate the City of Nauvoo," approved December 16th, 1840.

Mr. Davis moved to lay the proposed amendment on the table, which was decided in the affirmative.

Mr. Cavarly moved to refer said bill to the committee on the Judiciary, which was not agreed to.

Mr. Forman moved further to amend said bill by adding the following as an additional section.

"Sec. — That should said corporation be indebted at the time of the dissolution thereof the receiver shall pay off the debts due as aforesaid to the creditors *pro rata*, and when he shall have paid out all moneys that shall have come to his hands as such receiver, he shall report to the circuit court of Hancock county the amount of such deficit, if any yet remaining due the creditor of said corporation; whereupon the said circuit court shall report the amount of such deficit to the county commissioners' court of the county aforesaid, which shall thereupon proceed to assess a tax upon the City of Nauvoo, not exceeding fifty cents on the one hundred dollar per annum, for each and every year, until said deficit shall have been liquidated, which assessment shall be collected in the same manner as State and county taxes are now collected."

Mr. Worthington moved to refer said bill and proposed amendment to the committee on the Judiciary with the following instructions: "to so amend the bill as to preserve the rights and interests of the people of Nauvoo, and of the State at large."

Mr. Cavarly moved to amend the proposed instructions by adding the following:

"To ascertain the amount of indebtedness against said corporation of Nauvoo, and the amount and value of property owned by the same, and make such provision by law as will best secure the rights of all parties concerned."

Mr. Killpatrick moved to lay the instructions together with the proposed amendment on the table; which was decided in the affirmative.

And the question being taken on the motion to refer said bill and proposed amendment to the committee on the Judiciary; it was decided in the negative.

And the question then being taken on the adoption of the amendment proposed by Mr. Forman, it was decided in the negative; and the bill as amended was

Ordered to be engrossed and read a third time.

On motion

The Senate adjourned.

WEDNESDAY, DECEMBER 18, 1844.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Dresser.

A message from the Governor, by Thompson Campbell, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a written communication.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives, to inform the Senate, that they have passed bills of the following titles, viz:

"An act to repeal an act entitled an act to incorporate Shawnee City."

"An act for the relief of George Richards."

"An act to amend the several laws apportioning the representation among the several counties in this State."

"An act to re-locate a part of the State road leading from Griggsville in Pike county to the Mississippi River;" and

"An act to premanently fix the seat of Justice of McHenry county."

In the passage of which they ask the concurrence of the Senate.

Mr. Fithian presented the petition of J. L. Ruddick, and Margaret Ruddicks, and a portion of the citizens of Vermilion county, praying for the passage of an act legalizing the marriage of said J. L. & Margaret Ruddick; which was read, and

On motion of Mr. Fithian,

Referred to the committee on Petitions.

Mr. Constable presented the petition of Henry Steel and others, trustees of schools in town one south, range twelve west, in Wabash county, praying authority to sell certain real estate therein mentioned; the reading of which was,

On motion of Mr. Constable,

Dispensed with, and the same referred to the committee on School Lands and Education.

Mr. Speaker laid before the Senate a communication from the public printers, on the subject of the cost of printing 600 copies of the communication of the Governor, covering the report of Michael Ryan, received some days since, and ordered to be printed; which first named communication was read, and

On motion of Mr. Webb,

Laid on the table.

Mr. Webb from the committee on the Judiciary, to which was referred the bill entitled "An act to alter and amend the law concerning interest on money and usury;" reported the same back with an amendment.

Mr. Catlin moved to amend the proposed amendment by adding the following to the 4th section:

"Provided that all persons now indebted to the school fund, shall be allowed upon payment of interest due, to renew their notes to said fund at the rate of interest provided for in this section."

Mr. G. Smith moved to lay the proposed amendment to the proposed amendment of the committee on the table, which was agreed to.

Mr. Killpatrick moved to amend the amendment reported by the committee, by striking out the fourth section thereof, and inserting in lieu of it the following:

"Sec. 4. That this act shall not effect or repeal any law, authorizing the recovery of a higher rate of interest on the school, college, or seminary funds;" which amendment to the amendment, was

On motion of Mr. McMurtry,

Laid on the table.

Mr. Parker moved to amend the amendment by adding the following:

"Sec 6. That any person may avail himself of the benefits of this act, by paying all the interest which may be due the school commissioner or treasurer, the time of payment to be noted on their several notes or bonds, from which time they shall be required to pay no higher rate of interest than is required in this act."

Mr. Webb moved to lay the amendment offered by Mr. Parker on the table; which was decided in the affirmative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Cavarly, Davis, Harrison, Henry, Judd, Killpatrick, Markley, McMurtry, Minard, Powers, Ryan, J. Smith, G. Smith, Thompson, Webb, Worthington and Wynne—19.

Those voting in the negative, are.

Messrs. Catlin, Constable, Crain, Dougherty, Dunlap, Fithian, Forman, Harris, Johnson, Leviston, Matteson, McMillan, Morrison, Nunnally, Parker, Ruggles, Vandeventer, Warren and Waters—19.

There being a tie, Mr. Speaker voted in the affirmative.

The question was then taken on concurring with the committee in the amendment reported by them, and decided in the affirmative.

Ordered, That said bill as amended, be engrossed for a third reading.

A message from the House of Representatives, by Mr. Cloud, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that this day the Governor transmitted to the House a communication containing the report of the Acting Commissioner of the Illinois and Michigan Canal with the accompanying documents, which were laid upon the table, and four hundred copies ordered to be printed for the use of the two Houses.

On motion,

The Senate adjourned, until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Crain, from the select committee, to which was referred a bill entitled "An act concerning the counties of Union, Alexander and Pulaski," reported the same back with an amendment which was adopted, and the bill as amended

Ordered to be engrossed and read a third time.

Mr. Speaker laid before the Senate a report of the Auditor of Public Accounts in answer to a resolution of the Senate, calling for information

in relation to the pay of State officers named in the general report; which report was read, and

On motion of Mr. Constable,

Referred to the committee on Finance.

Mr. Dunlap, on leave, introduced a bill for "An act to provide for the representation of certain counties therein named;" which was read, and

Ordered to a second reading.

Mr. Warren, on leave, introduced a bill entitled "An act for the relief of certain assessors in this State;" which was read, and

Ordered to a second reading, and

On motion of Mr. Warren,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed and read a third time.

Mr. Speaker laid before the Senate the communication from the Governor, contained in the message this morning, enclosing a letter from Baring, Brothers & Co., and Magniac, Jardine & Co. of London, which were severally read.

Mr. Cavarly moved that the same be laid on the table and printed,

On motion of Mr. Davis,

Said communication and letter were laid on the table.

On motion of Mr. Henry,

The rule of the Senate was dispensed with, and the following resolution offered by him, read and adopted:

Resolved, That the use of the Senate Chamber be granted to the Mechanics' Union, on Thursday evening December 19, for the delivery of a lecture by the Hon. E. D. Baker, before said Union and the school under their care.

A message from the House of Representatives by Mr. McDonald, their Assistant Clerk.

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have concurred with them in the passage of a bill entitled "An act for the relief of the Jordan district, in township ten north, range four, east of the third principal meridian, in Shelby county."

Mr. Cavarly from the committee on the Judiciary, to which was referred the bills entitled "An act to amend an act entitled an act to regulate the interest of money," approved February 28th, 1833, and

"An act to regulate interest at six per cent.," reported the same back, and

On motion of Mr. Constable,

Said bills were laid on the table.

On motion,

The Senate adjourned.

THURSDAY, DECEMBER 19, 1844.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Hale.

Mr. Minard presented the petition of B. L. Hunt and others, praying for the passage of an act to vacate so much of Walnut street on the east side of Fox river at St. Charles, in Kane County, and on his motion, the

reading of the same was dispensed with, and said petition referred to the committee on Incorporations.

Mr. Powers presented a petition in behalf of James Chambers, and the inhabitants of township seventeen north, range four, east of the third principal meridian, in relation to school lands therein described, and on his motion the reading of the same was dispensed with, and said petition referred to the committee on School Lands and Education.

Mr. Boal offered for adoption the following resolution, which lies one day on the table.

Resolved, That the committee on the Judiciary be instructed to examine the laws in relation to the *ex officio* services of clerks and sheriffs for which they receive their per annum compensation, whether the existing laws sufficiently define those services, if not that they report a bill defining the same.

Mr. Catlin, on leave, introduced a bill entitled "An act to prevent trespassing on real and personal property;" which was read, and

Ordered to a second reading.

The orders of the day were taken up:

The bill entitled "An act to repeal an act entitled 'An act to incorporate the City of Nauvoo,'" approved December 16, 1840; was read a third time.

Mr. Davis moved a call of the Senate, which proceeded for some time, and was on his motion dispensed with.

Mr. Cavarly moved that said bill be recommitted to the committee on the Judiciary.

Mr. Constable moved that the motion to re-commit be laid on the table; which was decided in the affirmative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Boal, Catlin, Constable, Davis, Dougherty, Dunlap, Fithian, Henry, Johnson, Killpatrick, Leviston, Markley, McMillan, Morrison, Nunnally, Powers, Ryan, G. Smith, Vandeventer, Warren, Waters, Webb, Wilbanks and Wynne—24.

Those voting in the negative, are,

Messrs. Buford, Cavarly, Crain, Edwards, Forman, Harris, Harrison, Matteson, McMurtry, Minard, Parker, Ruggles, J. Smith, Thompson and Worthington—15.

Mr. Cavarly moved to amend said bill by adding the following:

"Sec. — That all the provisions of "An act, entitled 'An act to incorporate the City of Springfield,'" approved February 3, 1840, be extended to the citizens of Nauvoo, and made applicable to all intents and purposes, within the limits of said city, as they now are to the citizens of Springfield."

Mr. Davis moved that said amendment be laid on the table; which was decided in the affirmative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Boal, Catlin, Constable, Crain, Davis, Dougherty, Dunlap, Henry, Johnson, Killpatrick, Markley, McMillan, Morrison, Nunnally, Powers, Ryan, G. Smith, Vandeventer, Warren, Waters, Webb, Wilbanks and Wynne—23.

Those voting in the negative, are,

Messrs. Buford, Cavarly, Edwards, Fithian, Forman, Harris, Harri-

son, Leviston, Matteson, McMurtry, Minard, Parker, Ruggles, J. Smith, Thompson and Worthington—16.

And on the question "Shall said bill pass?" It was decided in the affirmative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Boal, Catlin, Constable, Crain, Davis, Dougherty, Dunlap, Fithian, Forman, Harris, Henry, Johnson, Markley, McMillan, Morrison, Nunnally, Powers, Ryan, G. Smith, Vandeventer, Warren, Waters, Webb, Wilbanks and Wynne—25.

Those voting in the negative, are,

Messrs. Buford, Cavarly, Edwards, Harrison, Killpatrick, Leviston, Matteson, McMurtry, Minard, Parker, Ruggles, J. Smith, Thompson and Worthington—14.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

The bill entitled "An act to alter and amend the law concerning interest on money and usury," was read a third time.

Mr. McMurtry moved to refer said bill to a select committee with the following instructions:

"To engraft on said bill all the penalties of the act of 1833, concerning usury."

Mr. Henry moved to amend the instructions by adding the following:

"To so alter the law of 1833, as to strike out "12" and insert "8" per cent. wherever it shall occur."

Mr. Warren moved to lay the proposed amendment on the table; which was decided in the affirmative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Cavarly, Constable, Crain, Dunlap, Edwards, Forman, Harris, Johnson, Leviston, Markley, McMurtry, Morrison, Nunnally, Parker, Powers, Ruggles, J. Smith, Vandeventer, Warren, Waters, Webb, Wilbanks and Wynne—23.

Those voting in the negative, are,

Messrs. Boal, Buford, Catlin, Davis, Dougherty, Fithian, Harrison, Henry, Killpatrick, Matteson, McMillan, Minard, Ryan, G. Smith, Thompson and Worthington—16.

Mr. Constable moved that the motion to refer said bill to a Select Committee with instructions be laid on the table; which was decided in the negative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Cavarly, Constable, Davis, Dunlap, Edwards, Forman, Killpatrick, Markley, Minard, Morrison, Powers, Ruggles, Ryan, Webb, Wilbanks and Worthington—18.

Those voting in the negative, are,

Messrs. Catlin, Crain, Dougherty, Fithian, Harris, Harrison, Henry, Johnson, Leviston, Matteson, McMillan, McMurtry, Nunnally, Parker, J. Smith, G. Smith, Thompson, Vandeventer, Warren, Waters and Wynne—21.

Mr. G. Smith moved to amend the instructions by adding thereto the following:

"And that said committee be further instructed to provide in said bill, that the rate of interest to be charged on the township school fund, shall be left discretionary with the trustees or inhabitants of any township, so that the same shall not be less than six, nor to exceed twelve per cent. per annum."

Mr. Warren moved to lay the proposed amendment on the table; which was decided in the affirmative.

The question then being taken on the motion to refer to a Select Committee with instructions; it was decided in the affirmative.

Ordered, That Messrs. McMurtry, Dougherty, Thompson, Crain and Matteson, be that committee.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The bill entitled "An act concerning the counties of Union, Alexander and Pulaski;" was read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

The bill entitled "An act for the relief of certain assessors in this State;" was read a third time and passed.

On motion of Mr. Parker,

The title of said bill was amended so as to read "An act to legalize the acts of certain assessors in this State."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

The bill entitled "An act concerning corporations;" was read a second time.

Mr. Killpatrick moved to amend said bill by striking out the "third" and "fourth" sections.

Mr. Cavarly moved to refer said bill and proposed amendment to the committee on the Judiciary; which was decided in the affirmative.

The bill entitled "An act to amend an act in relation to free negroes and mulatto servants, and slaves, in force 17th January, 1827;" was read a second time, and

On motion of Mr. Wilbanks,

Referred to the committee on the Judiciary.

The bill entitled "An act authorizing administrators and executors from other States to prosecute suits in this State;" was read a second time, and

On motion of Mr. Parker,

Referred to the committee on the Judiciary.

The bills entitled "An act concerning the private acts of the General Assembly," and

"An act to provide for the representation of certain counties therein named;" were severally read a second time, and

Ordered to be engrossed and read a third time.

The bill entitled "An act for the disposition of unclaimed costs in certain cases;" was read a second time, and

On motion of Mr. Ruggles,

Referred to the committee on Finance.

The bills from the House of Representatives, entitled "An act authorizing the survey of certain lands therein named," and

"An act to change the name of a person therein named," were severally read a second time, and

Ordered to a third reading.

The resolution of the House of Representatives, providing for the appointment of a joint select committee, to examine into the books and papers pertaining to the Executive Departments, and in relation to the public expenditures, &c., was read and concurred in.

Ordered, That Messrs. Matteson and Forman be the committee on the part of the Senate.

The resolution of the House of Representatives requesting the Secretary of State to transmit to our Representatives and Senators in Congress copies of an act therein named, was read and concurred in.

The preamble and resolution of the House, in relation to a donation of land by the Congress of the United States, to aid in the completion in Illinois of the National road; were read and concurred in.

The preamble and resolution of the House for the appointment of a joint select committee to prepare a memorial to the Congress of the United States, praying that relief be granted to such of the inhabitants of this State as have suffered by the late Mississippi and Illinois floods; were read and concurred in.

Ordered, That Messrs. Ryan and Thompson be the committee on the part of the Senate.

Ordered, That the Secretary inform the House of Representatives thereof.

The bills from the House of Representatives entitled "An act to permanently fix the seat of justice of McHenry County,"

"An act for the relief of George Richards."

"An act entitled an act to amend the several laws apportioning the representation among the several counties in this State."

"An act to repeal an act entitled an act to incorporate Shawnee City," and

"An act to relocate part of the State road leading from Griggsville in Pike County, to the Mississippi river;" were severally read, and

Ordered to a second reading.

The resolution of the House of Representatives recommending to the electors of this State at the next general election to vote for or against a convention to amend the constitution of this State; was read; and

On motion,

The Senate adjourned.

FRIDAY, DECEMBER 20, 1844.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Edson.

Mr. Warren from the committee on Military Affairs, to which was re-

ferred a preamble and resolution from the House of Representatives, instructing our Senators and requesting our Representatives in Congress to procure the passage of a law providing for the compensation of the Illinois Rangers in service during the last war with Great Britain,

Reported the same back without amendment and recommended its adoption; the preamble and resolution were concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Thompson from the committee on School Lands and Education, to which was referred the petition of the trustees of schools for township 19, north of range 11 west, in Vermilion county, reported a bill entitled "An act for the relief of William Moss," which was read, and

Ordered to a second reading.

Mr. Killpatrick from the same committee, to which was referred a bill from the House of Representatives entitled "An act in relation to common schools," reported the same back with an amendment.

Mr. Dougherty moved to strike out the word "heretofore" in the first section of said amendment, which was agreed to.

Mr. Harris moved to amend the proposed amendment by inserting "Macoupin" after the word "Cass."

Mr. Killpatrick moved to lay the amendment together with the proposed amendment to the amendment on the table, which was decided in the affirmative.

Mr. Killpatrick moved to amend said bill by striking out the word "heretofore" when it occurs, and

On motion of Mr. Dougherty,

Said bill and proposed amendment were referred to the committee on the Judiciary.

Mr. Cavarly from the committee on the Judiciary to which was referred a bill entitled "An act repealing a part of the law in relation to the decisions of the supreme court of the State of Illinois," reported the same back with an amendment as a substitute for said bill, which was concurred in, and said bill as amended,

Ordered to be engrossed for a third reading.

Mr. Vandeventer from the committee on Incorporations to which was referred the petition of B. L. Hunt and others, in relation to the vacation of a part of Walnut street in St. Charles, Kane county, reported a bill entitled "An act vacating part of a street in the town of St. Charles, in Kane county;" which was read, and

Ordered to a second reading.

A message from the Governor, by Thompson Campbell, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing.

A message from the House of Representatives by Mr. Cloud, their Clerk.

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have adopted the following preamble and resolutions:

Whereas: It is one of the principles of a free Government to impose no unnecessary taxes and burdens on the people; and whereas, the West

Point Academy was established as a nursery for the military genius of our American youths, thereby furnishing our army with skilful officers, and giving that order of talents a proper direction; and whereas, also, the history of that institution for more than twenty years past has demonstrated the fact that it has *measurably* failed in the object of its creation, having *seldom*, if ever, yet furnished the army a skilful officer of ability, but on the contrary has been the hot-bed of favoritism and aristocracy; and officers from that institution have on late occasions, during our Seminole hostilities, shamefully resigned at a time their country expected of them bravery and patriotism, thus proving that there is an inherent defect as well in the selection as the education of youths; Therefore,

Resolved by the General Assembly, That our Senators in Congress be instructed, and our Representatives requested to use their endeavors to reform the abuses, not only in the selection of candidates to be educated there at the public expense, but in the education itself; and in case both of these evils cannot be removed, to vote against any more appropriations of money for said institution.

Resolved, That the Governor transmit a copy of the above preamble and resolution to each member of our delegation in Congress.

In the adoption of which they ask the concurrence of the Senate.

I am also directed by the House of Representatives to inform the Senate that they have concurred with the Senate in the adoption of their resolutions, requiring the Auditor of Public Accounts to furnish the Attorney General with the names of delinquent collectors; and requiring said Attorney General to commence suit against each delinquent collectors on the first day of February next.

The House have also concurred with the Senate in the passage of bills of the following titles:

"An act to amend an act entitled 'An act to incorporate the Rush Medical College;' " and

"An act to incorporate the University of St. Mary of the Lake."

The House of Representatives have passed bills of the following titles:

"An act to regulate mortgages on personal property;"

"An act to locate a State road from Little Rock in Kane county, to the Steam Mill Bridge on Des Plaines river in Cook county;"

"An act for the benefit of schools of township eight, north of range six east, in Effingham county;"

"An act entitled 'An act to permanently locate the county seat of the county of Alexander;'"

"An act fixing the compensation of jurors;"

"An act to authorize the Recorder of Jackson county to enter of record certain deeds or other instruments in writing herein named;" and

"An act to locate a State road herein named."

In the passage of which several bills, the House of Representatives ask the concurrence of the Senate.

The House of Representatives on yesterday received a communication from the Governor, exhibiting the amount of State indebtedness, which was laid on the table and ordered to be printed for the use of the two Houses.

Mr. Killpatrick from the committee on School Lands and Education to which was referred the petition of the county commissioners court of

Kendall county, in relation to the payment of certain money by the school commissioners of La Salle and Kane counties, reported a bill entitled "An act to authorize the school commissioners of the counties of La Salle and Kane to pay school funds to the county of Kendall;" which was read, and

Ordered to a second reading.

Mr. Cavarly from the committee on the Judiciary, to which was referred a petition of the county commissioners court of Kane county, praying the passage of an act authorizing them to assess a tax for county purposes, reported a bill entitled "An act to authorize the county of Kane to levy an extra tax for county purposes;" which was read, and

Ordered to a second reading.

Mr. Minard from the committee on Finance, to which was referred the petition of Robert Fisher and others, praying for the revival of an act to provide for settlers on land purchased of the State, reported a bill entitled "An act for the relief of certain settlers on State land;" which was read, and

Ordered to a second reading.

Mr. Matteson offered for adoption the following resolution, which lies one day on the table.

Resolved, That it be the duty of the committee on Incorporations to inquire into the right that persons have in charging toll on the bridge across Salt creek, on the direct road between Springfield and Peoria. If the said committee finds that said persons are charging toll under semblance of law, that it be the duty of the committee to inquire into the expediency of repealing all law allowing the collection of toll on said bridge, in consequence of an omission of the owners in making a good and safe crossing of said creek or river.

Mr. Nunnally offered for adoption the following resolution, which lies one day on the table:

Resolved by the Senate, That the committee on the Judiciary be requested to examine the law relative to probate justices of the peace, for the purpose of ascertaining whether said probate justices are required by law to receipt for promissory notes, necessarily placed in their hands; and if not, the propriety of requiring them to do so; and that said committee report by bill or otherwise.

Mr. Boal offered for adoption the following resolution, which lies one day on the table:

Resolved, That the committee on School Lands and Education be instructed to provide by bill or otherwise, that the county commissioners' courts of the several counties shall in all cases where ferries have heretofore been established on the 16th section or other school land, vacate and set aside the order granting license to the occupier of the same, upon application being made therefor by the proper township officers, or some one for them, and shall grant a license, and affix the rates of ferriage in the name of the corporation, if an incorporated township; if not incorporated, in the name of the "trustees of school lands."

Mr. Dougherty from the select committee, to which was referred the bill entitled "An act authorizing the probate justice of the peace for Moultrie county to hold his office at his residence," reported the same back without amendment, and said bill was,

Ordered to be engrossed and read a third time.

Mr. Speaker announced to the Senate, that the communication just received from the Governor was upon executive business. Whereupon,

On motion of Mr. Parker,

The same was acted upon with open doors, and read as follows:

EXECUTIVE DEPARTMENT,
Springfield, December 20, 1844.

To the Senate:

I nominate John M. Palmer to be Notary Public for the county of Macoupin, in the place of William Bosbyshell, who has removed from the county.

THOMAS FORD.

And on motion of Mr. Harris,

The said nomination was advised and consented to by the Senate.

Mr. Speaker laid before the Senate a communication from Nimrod Dorsey, proposing to lease the Penitentiary of this State for a term of years; which was read, and

On motion of Mr. Smith,

Referred to the committee on the Penitentiary.

Mr. Dougherty, on leave, introduced a bill entitled "An act confirming the location of a road therein mentioned;" which was read, and

Ordered to a second reading.

Mr. Forman, on leave, introduced a bill entitled "An act for the relief of the sureties of Richard J. Hill, deceased;" which was read, and

Ordered to a second reading.

The orders of the day were taken up.

And the question recurring on the question pending at the time of adjournment on yesterday, which was upon the adoption of the resolution from the House of Representatives, recommending to the electors of this State at the next general election to vote for or against a convention to amend the constitution of this State.

Mr. Webb moved to postpone the further consideration of the same, and make it the special order of the day for Tuesday next.

Mr. Killpatrick moved to amend the motion so as to make it the special order of the day for Thursday next.

Mr. Cavarly moved to lay the motion of Mr. Webb together with the proposed amendment on the table; which was decided in the affirmative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Buford, Catlin, Cavarly, Dunlap, Forman, Harris, Leviston, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Nunnally, Ryan, J. Smith, Thompson, Vandeventer, Warren, Wilbanks and Wynne—21.

Those voting in the negative, are,

Messrs. Allen, Boal, Crain, Davis, Dougherty, Edwards, Fthian, Harrison, Henry, Johnson, Killpatrick, Parker, Powers, Ruggles, G. Smith, Waters, Webb and Worthington—18.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Killpatrick,

The order of business was suspended to enable him to introduce a bill for "An act to authorize the school commissioner of Cass county to distribute school funds;" which bill was read, and

Ordered to a second reading.

On motion of Mr. Killpatrick,

The rule was dispensed with, and said bill read a second time by its title, and

Ordered to be engrossed for a third reading.

On motion of Mr. Killpatrick,

The rule was further dispensed with, and said bill read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

The question then recurring on the question pending at the time of adjournment, which was upon the adoption of the resolution from the House of Representatives recommending to the electors to vote for or against a convention to amend the constitution of this State.

Mr. McMurtry moved a call of the Senate, which proceeded some time, and on his motion was dispensed with.

Mr. Davis moved to lay said resolution on the table until the 15th day of January next, which was decided in the negative.

Mr. Nunnally moved that the Senate adjourn; which was not agreed to.

The question was then taken on concurring with the House of Representatives in their said resolution, and decided as follows by yeas and nays:

Those voting in the affirmative, are,

Messrs. Allen, Catlin, Cavarly, Crain, Davis, Dougherty, Dunlap, Forman, Harris, Henry, Johnson, Judd, Leviston, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Nunnally, Parker, Powers, Ruggles, Ryan, J. Smith, Thompson, Vandeventer, Warren, Waters, Wilbanks and Wynne—31.

Those voting in the negative, are,

Messrs. Boal, Buford, Constable, Edwards, Fithian, Harrison, Killpatrick, G. Smith, Worthington and Webb—10.

Mr. Speaker announced that the resolution had received the requisite constitutional majority, and declared that the Senate had concurred with the House of Representatives in the adoption of the same.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion,

The Senate adjourned.

SATURDAY, DECEMBER 21, 1844.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Richmond.

Mr. Henry asked and obtained leave of absence for Mr. Killpatrick, until Tuesday next.

Mr. Harris presented the petition of George Lenhard, praying for a divorce; which was read.

Mr. Harris moved that said petition be referred to the committee on Petitions.

Mr. Johnson moved to refer the same to the committee on Salines and Saline Lands.

And the question being first taken on referring said petition to the committee on Petitions; it was decided in the affirmative.

Mr. Speaker laid before the Senate a communication from the Treasurer of State, in relation to the State House debt; which was read, and

On motion of Mr. Nunnally,

Laid on the table.

Mr. Cavarly moved that the communication from the Treasurer just laid on the table be taken up; which was agreed to, and on his motion said communication was referred to the committee on Public Buildings.

Mr. Parker from the committee on enrolled bills, reported as correctly enrolled, "An act for the relief of the Jordan district in township ten north, range four, east of the third principal meridian in the county of Shelby," and that the same has this day been laid before the Council of Revision.

Mr. Johnson, on leave, introduced a bill entitled "An act more effectually to prevent trespassing by cutting timber;" which was read, and

Ordered to a second reading, and

On his further motion the rule was dispensed with; said bill read the second time by its title and referred to a select committee of five.

Ordered, That Messrs. Johnson, Warren, Judd, Dougherty and Powers be that committee.

The orders of the day were taken up.

The bills entitled "An act authorizing the probate justice of the peace of Moultrie county, to hold his office at his residence;"

"An act repealing a part of the law in relation to the decisions of the Supreme Court of the State of Illinois."

"An act concerning the private acts of the General Assembly," and

"An act to provide for the representation of certain counties therein named;" were severally read a third time and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bills.

A message from the House of Representatives by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives, to inform the Senate that the Governor has transmitted to the House the report of N. H. Purple, Esq. commissioner on the part of the State of the State Bank of Illinois, which report has been ordered to be printed for the use of the two Houses.

Bills from the House of Representatives for "An act authorizing the survey of certain lands therein named;" and

"An act to change the name of a person therein named;" were severally read a third time and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof.

A bill for "An act to prevent trespassing on real and personal property," was read a second time, and

On motion of Mr. Dougherty,

Referred to the committee on the Judiciary.

Bills of the following titles:

"An act for the relief of William Moss;"

"An act vacating part of a street in the town of St. Charles in Kane county;"

"An act to authorize the county of Kane to levy an extra tax for county purposes;"

"An act to authorize the school commissioners of the counties of La Salle and Kane to pay school funds to the county of Kendall;"

"An act for the relief of the sureties of Richard J. Hill, deceased;" and

"An act confirming the location of a road therein named;" were severally read a second time, and

Ordered to be engrossed for a third reading.

The bill entitled "An act for the relief of certain settlers on State lands," was read a second time, and

On motion of Mr. Warren,

Referred to the committee on Internal Improvements.

The bill entitled "An act to prevent trespassing on real and personal property," was read a second time, and

On motion of Mr. Dougherty,

Referred to the committee on the Judiciary.

On motion of Mr. Ryan,

The vote taken upon ordering to be engrossed for a third reading the bill entitled "An act to authorize the school commissioners of the counties of La Salle and Kane to pay school funds to the county of Kendall," was reconsidered, and on his further motion said bill was referred to a select committee.

Ordered, That Messrs. Ryan, Minard and Thompson, be that committee.

The bills from the House of Representatives entitled "An act to permanently fix the seat of justice of McHenry county;"

"An act to repeal an act entitled an act to incorporate Shawnee city;" and

"An act to relocate part of the State road leading from Griggsville in Pike county, to the Mississippi river," were severally read a second time, and

Ordered to a third reading.

The bill from the House of Representatives entitled "An act for the relief of George Richards," was read a second time, and

Ordered to a third reading.

On motion of Mr. Fithian,

The rule was dispensed with, said bill read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives entitled "An act to amend the several laws apportioning the representation among the several counties in this State," was read a second time, and

On motion of Mr. Dougherty,

Referred to a select committee.

Ordered, That Messrs. Dougherty, Waters and Crain be that committee.

The bill from the House of Representatives for "An act to permanently locate the county seat of the county of Alexander," was read, and

Ordered to a second reading.

On motion of Mr. Dougherty,

The rule was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Dougherty, Waters and Wilbanks be that committee.

On motion,

The Senate adjourned.

MONDAY, DECEMBER 23, 1844.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Bergen.

A message from the Governor by T. Campbell, Esq., Secretary of State.

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing.

Mr. J. Smith presented the petition of R. Wallace and other citizens of Marquette county, asking for the re-enacting of the law passed at the last session organizing said county; which was read, and on his further motion,

Referred to the committee on the Judiciary.

Mr. G. Smith from the committee on the Penitentiary, to which was referred a resolution instructing said committee to amend the estray laws.

Reported a bill entitled "An act concerning estrays; which was read, and ordered to a second reading.

Mr. Speaker laid before the Senate the communication just received from the Governor; which was read as follows:

EXECUTIVE DEPARTMENT,
Springfield, Dec. 23, 1844.

To the Senate:

I have the honor to lay before the Senate, a special message in relation to the disturbances in Hancock county.

I am most respectfully, &c.

THOMAS FORD.

To the Honorable, the Senate,

and House of Representatives:

As many versions of the disturbances during the last summer and fall, in Hancock county, have gone abroad to the world, I have thought it proper to state in a solemn and authentic form, every thing connected

with those transactions which has come to my knowledge; and upon which I rely as the truth.

On the seventeenth day of June last, a committee of a meeting of the citizens of Carthage, presented themselves to me, with a request that the militia might be ordered out to assist in executing process in the city of Nauvoo. From the affidavits presented at the same time, I judged that an occasion had arisen of considerable difficulty and perplexity; and from their statements, I could be of no other opinion than that great excitement existed in the minds of the people. I therefore determined to visit, in person, that section of country, and examine for myself the truth and nature of their complaints; and being on the ground, I would be the better enabled to judge of what ought to be done, under the actual circumstances existing. Therefore, no order for the militia was made; and I arrived at Carthage on the morning of the twenty-first day of the same month.

Upon my arrival I found an armed force assembled, and hourly increasing, under the summons and direction of the constables of the county, to serve as a posse comitatus to assist in the execution of process. The General of that Brigade, had also called for the militia, en masse, of the counties of McDonough and Schuyler, for a similar purpose. Another assemblage to a considerable number, had been made at Warsaw, under the command of Col. Levi Williams.

The first thing which I did on my arrival, was to place all the militia then assembled or which were expected to assemble, under military command of their proper officers.

I next despatched a messenger to Nauvoo, informing the Mayor and Common Council of the nature of the complaint made against them, and requested that persons might be sent to me, to lay their side of the question before me. A committee was accordingly sent, who made such acknowledgments, that I had no difficulty in concluding that the following facts were perfectly true.

It appears that a certain portion of the citizens of Nauvoo became dissatisfied with the conduct of some of the leading men of the place; and established a newspaper press, as the organ of their peculiar views. Those persons were ex-communicated from the church called, "The Latter day Saints," but more familiarly known as the Mormon Church; and their printing press and materials were destroyed, by order of the Common Council.

It appeared that previous to the destruction of the press, a very curious trial was had before the Common Council, which resulted in a judgment of that body, that the press was a public nuisance and ought to be abated. It does not appear that any person was tried, or that any of the owners of the property had notice of the proceeding, or were permitted to defend in any particular. The proceeding was an ex-parte proceeding *in rem* against the property. No jury was called or sworn, and most of the witnesses were permitted to give their evidence, without being under oath. It appeared further, that there existed no general ordinance of the city, defining such a press to be a nuisance, and, further, that the Common Council possessed legislative authority, only; and could, under no pretence, set in judgment as a court.

The press, however, was declared to be a nuisance; and the Mayor was

ordered to see it abated as such; and if necessary, to call to his assistance a portion of the Nauvoo Legion. The Mayor made his warrant to the Marshal, of the city, who, aided by a portion of the Legion, executed his warrant, by destroying the press and scattering the type and other materials of the office.

The owners of the property proceeded to Carthage and took out warrants from before a justice of the peace, against the Mayor and members of the Council and others engaged in the outrage, for a riot. Some of these were arrested, but were immediately taken before the municipal court of the city by writ of habeas corpus and discharged. It appears that the city charter confers upon that court power to issue writs of habeas corpus in all cases of imprisonment arising under the ordinances of the city; a provision manifestly relating to such imprisonment as might be the consequence of violations of the city ordinances. But the Common Council passed an ordinance conferring upon the court, jurisdiction to issue the writ in all cases of arrest and imprisonment in the city, by whatsoever authority the same might be made; thus drawing to that court, jurisdiction to discharge from every kind of imprisonment, whether made by State or federal authority; and making it impossible to execute the laws there, unless permitted by the municipal court.

The whole proceedings of the Mayor, the Common Council, and the Municipal Court, were irregular and illegal, and not to be endured in a free country; though perhaps some apology might be made for the court, as it had been repeatedly assured by some of the best lawyers in the State, who had been candidates for office, before that people, that it had full and competent power to issue writs of habeas corpus in all cases whatever. The Common Council violated the law in assuming the exercise of judicial power; in proceeding ex-parte without notice to the owners of the property; in proceeding against the property in rem; in not calling a jury; in not swearing all the witnesses, in not giving the owners of the property accused of being a nuisance, in consequence of being libelous, an opportunity of giving the truth in evidence; and in fact by not proceeding by civil suit or indictment, as in other cases of libel. The Mayor violated the law in ordering this erroneous and absurd judgment of the Common Council to be executed. And the municipal court erred in discharging them from arrest.

As this proceeding touched the liberty of the press, which is justly dear to any republican people, it was well calculated to raise a great flame of excitement. And it may well be questioned, whether years of misrepresentation by the most profligate newspaper could have engendered such a feeling as was produced by the destruction of this one press.

There were other causes, to heighten the excitement. These people had undertaken to innovate upon the established systems of religion. Their legal right to do so, no one will question. But all history bears testimony that innovations upon religion have always been attended by a temper of hostility in the public mind; which sometimes, has produced the most desolating wars; always, more or less of persecution. Even the innocent Quakers, the unoffending Shakers, and the quiet and orderly Methodists, in their origin, and until the world got used to them, had enough of persecution to encounter. But if either of these sects had congregated together in one city, where the world could never get to

know them; could never ascertain, by personal acquaintance, the truth or falsity of the many reports which are always circulated to the prejudice of such innovators; and moreover, if they had armed themselves; and organized into a military legion as the citizens of Nauvoo, and had been guilty of the high handed proceedings carried on against the heretical press, the public animosity, and their persecutions, must have been greatly increased, in rancor and severity.

In addition to these causes of excitement, there were a great many reports in circulation, and generally believed by the people; or at least, they pretended to believe them. I mention these reports and rumors, not because I had any evidence of their truth, but because they had a serious influence in swelling the public excitement.

It was asserted that Joseph Smith, the founder and head of the Mormon church, had caused himself to be crowned and anointed King of the Mormons; that he had embodied a band of his followers, called Danites, who were sworn to obey him as God, and to do his commands, murder and treason not excepted; that he had instituted an order in the church, whereby those who composed it were pretended to be sealed up to eternal life, against all crimes, save the shedding of innocent blood or consenting thereto. That this order was instructed that no blood was innocent blood, except that of the members of the church; and that these two orders were made the ministers of his vengeance, and the instruments of an intolerable tyranny, which he had established over his people, and which he was about to extend over the neighboring country. The people affected to believe, that with this power in the hands of an unscrupulous leader, there was no safety for the lives or property of any one who should oppose him. They affected likewise, to believe, that Smith inculcated the legality of perjury, or any other crime, in defence, or to advance the interests of the true believers; and that himself had set them the example, by swearing to a false accusation against a certain person, for the crime of murder. It was likewise asserted, to be a fundamental article of the Mormon faith, that God had given the world and all it contained, to them as his saints; that they secretly believed in their right to all the goodly lands, farms, and property, in the country; that at present, they were kept out of their rightful inheritance by force; that consequently, there was no moral offence in anticipating God's good time to put them in possession by stealing, if opportunity offered; that in fact, the whole church was a community of murderers, thieves, robbers, and outlaws; that Joseph Smith had established a Bogus factory in Nauvoo, for the manufacture of counterfeit money; and that he maintained about his person, a tribe of swindlers, blacklegs, and counterfeiters, to make it, and put it into circulation.

It was also believed, that Joseph Smith had announced a revelation from heaven, sanctioning polygamy, by some kind of spiritual-wife system, which I never could well understand; but at any rate, whereby a man was allowed one wife in pursuance of the laws of the country, and an indefinite number of others, to be enjoyed in some mystical and spiritual mode; and that he himself, and many of his followers, had practiced upon the precepts of this revelation, by seducing a large number of women.

It was also asserted, that Joseph Smith was in alliance with the Indians

of the western Territories ; and had obtained over them such a control, that in case of a war, he could command their assistance, to murder his enemies.

Upon the whole, if one-half of these reports had been true, the Mormon community must have been the most intolerable collection of rogues ever assembled; or, if one half of them were false, they were the most maligned and abused.

Fortunately for the purposes of those who were active in creating excitement, there were some truths which gave countenance to some of these accusations. I apprehend that it was sufficiently proved in a proceeding at Carthage, whilst I was there, that Joseph Smith had sent a band of his followers to Missouri to kidnap two men who were witnesses against a member of his church, then in jail, and about to be tried on a charge of larceny. It was also a notorious fact, that he had assaulted and severely beaten an officer of the county, for an alleged non-performance of his duty, at a time when that officer was just recovering from severe illness. It is a fact also, that he stood indicted for the crime of perjury, as was alleged, in swearing to an accusation for murder. It is a fact also, that his municipal court, of which he was chief justice, by writ of habeas corpus had frequently discharged individuals accused of high crimes and offences against the laws of the State; and on one occasion had discharged a person accused of swindling the Government of the United States, and who had been arrested by process of the federal courts. Thereby giving countenance to the report, that he obstructed the administration of justice; and had set up a government at Nauvoo, independent of the laws and government of the State. This idea was further corroborated in the minds of the people, by the fact that the people of Nauvoo had petitioned the last session of Congress for a territorial government, to be established at Nauvoo, and to be independent of the State government. It was a fact also, that some larcenies and robberies had been committed, and that Mormons had been convicted of the crimes; and that other larcenies had been committed by persons unknown, but suspected to be Mormons. Justice, however, requires me here to say, that I have investigated the charge of promiscuous stealing, and find it to be greatly exaggerated. I could not ascertain that there were a greater proportion of thieves in that community, than any other of the same number of inhabitants; and perhaps if the city of Nauvoo were compared with St. Louis, or any other Western city, the proportion would not be so great. I think it very probable, however, that the Mormons sometimes erred in protecting members of their community from prosecution and punishment, who were accused of offences, under a belief that the accusation against them, was a persecution of their enemies on account of their religion.

I have reason to believe too, that the report of an alliance with the Indians, was a groundless calumny. For, on a late occasion when fifteen or twenty Potawatamie Indians passed Nauvoo in their canoes on their way to their hunting grounds in Iowa territory, it was at once asserted, that as many as two hundred Indians had come to the assistance of the Mormons; and were ready to scalp and murder their enemies; and this ridiculous story was greedily swallowed by an excited people.

Another cause of excitement, was a report industriously circulated

and generally believed, that Hyrum Smith, another leader of the Mormon church, had offered a reward for the destruction of the press of the "Warsaw Signal," a newspaper published in the county, and the organ of the opposition to the Mormons. It was also asserted that the Mormons, scattered through the settlements of the county, had threatened all persons who turned out to assist the constables, with the destruction of their property and the murder of their families, in the absence of their fathers, brothers and husbands.

But the great cause of popular fury was, that the Mormons at several preceding elections had cast their vote as an unit; thereby making the fact apparent that no one could aspire to the honors or offices of the country, within the sphere of their influence, without their approbation and votes. It appears to be one of the principles by which they insist upon being governed as a community to act as a unit in all matters of government and religion. They express themselves to be fearful that if division should be encouraged in politics, it would soon extend to their religion, and rend their church with scisms, and into sects.

This seems to me to be an unfortunate view of the subject, and more unfortunate in practice, as I am well satisfied that it must be the fruitful source of excitement, violence, and mobocracy, whilst it is persisted in. It is indeed unfortunate for their peace, that they do not divide in elections, according to their individual preferences or political principles, like other people.

This one principle and practice of theirs, has arrayed against them in deadly hostility, all aspirants for office who are not sure of their support, and all who have been unsuccessful in elections, with all their friends and influence.

These also were the active men in blowing up the fury of the people; in hopes that a popular movement might be set on foot, which would result in the expulsion or extermination of the Mormon voters. For this purpose public meetings had been called; inflammatory speeches had been made; exaggerated and unfounded reports had been extensively circulated; committees had been appointed, and rode night and day to spread the reports, and solicit the aid of the neighboring counties. And at a public meeting at Warsaw resolutions were passed to expel or exterminate the Mormon population. This was not however, a movement which was unanimously concurred in. The county contained a goodly number of inhabitants in favor of peace, or who at least desired to be neutral in such a contest. These were stigmatised by the name of "*Jack Mormons*," and there were not a few of the more furious excitors of the people, who openly expressed their intention to involve them in the common expulsion or extermination.

A system of excitement and agitation was artfully planned and executed with tact. It was planned and executed very much upon the principle adopted by the Jacobines in revolutionary France. It consisted in spreading reports and rumors of the most fearful character. As examples: On the morning before my arrival at Carthage, I was awakened at an early hour, by the frightful report, which was asserted with confidence and apparent consternation, that the Mormons had already commenced the work of burning, destruction and murder; and that every man capable of bearing arms, was instantly wanted at Carthage, for the protec-

tion of the country. We lost no time in starting; but when we arrived at Carthage, we could hear no more concerning this story. Again, during the few days that the militia were encamped at Carthage, frequent applications were made to me, to send a force here, and a force there, and a force all about the country, to prevent murders, robberies, and larcenies, which it was said, were threatened by the Mormons. No such forces were sent; nor were any such offences committed at that time, except the stealing of some provisions; and there was never the least proof that this was done by a Mormon. Again, on my late visit to Hancock county I was informed by some of their violent enemies, that the larcenies of the Mormons had become unusually numerous and insufferable. They indeed admitted that but little had been done in this way in their immediate vicinity. But they insisted that sixteen horses had been stolen by the Mormons in one night, near Lima in the county of Adams. At the close of the expedition, I called at this same town of Lima, and upon enquiry, was told that no horses had been stolen in that neighborhood, but that sixteen horses had been stolen in one night in Hancock county. This last informant being told of the Hancock story again changed the venue, to another distant settlement in the northern edge of Adams.

As my object in visiting Hancock was expressly to assist in the execution of the laws, and not to violate them, or to witness or permit their violation; as I was convinced that the Mormon leaders had committed a crime in the destruction of the press, and had resisted the execution of process, I determined to exert the whole force of the State, if necessary, to bring them to justice. But seeing the great excitement in the public mind, and the manifest tendency of this excitement to run into mobocracy, I was of opinion that before I acted, I ought to obtain a pledge from the officers and men to support me in strictly legal measures, and to protect the prisoners in case they surrendered. For I was determined, if possible, that the forms of law should not be made the catspaw of a mob, to seduce these people to a quiet surrender, as the convenient victims of popular fury. I, therefore, called together the whole force then assembled at Carthage, and made them an address, explaining to them what I could, and what I could not, legally do; and also adducing to them various reasons why they as well as the Mormons, should submit to the laws; and why, if they had resolved upon revolutionary proceedings, their purpose should be abandoned. The assembled troops seemed much pleased with the address; and upon its conclusion the officers and men unanimously voted, with acclamation, to sustain me in a strictly legal course, and that the prisoners should be protected from violence. Upon the arrival of additional forces from Warsaw, McDonough and Schuyler, similar addresses were made, with the same result.

It seemed to me that these votes fully authorized me to promise the accused Mormons the protection of the law in case they surrendered. They were accordingly duly informed that if they surrendered they would be protected, and if they did not, the whole force of the State would be called out, if necessary, to compel their submission. A force of ten men was despatched with the constable to make the arrests and to guard the prisoners to Head Quarters.

In the meantime, Joseph Smith, as Lieutenant General of the Nauvoo

Legion, had declared martial law in the city; the Legion was assembled and ordered under arms; the members of it residing in the country, were ordered into town. The Mormon settlements obeyed the summons of their leader, and marched to his assistance. Nauvoo, was one great military camp, strictly guarded and watched; and no ingress or egress was allowed, except upon the strictest examination. In one instance which came to my knowledge, a citizen of McDonough, who happened to be in the city, was denied the privilege of returning, until he made oath that he did not belong to the party at Carthage; that he would return home without calling at Carthage; and that he would give no information of the movement of the Mormons.

However, upon the arrival of the constable and guard, the Mayor and Common Council at once signified their willingness to surrender, and stated their readiness to proceed to Carthage next morning at eight o'clock. Martial law had previously been abolished. The hour of eight o'clock came, and the accused failed to make their appearance. The constable and his escort returned. The constable made no effort to arrest any of them; nor would he or the guard delay their departure one minute beyond the time, to see whether an arrest could probably be made. Upon their return they reported, that they had been informed that the accused had fled and could not be found.

I immediately proposed to a council of officers, to march into Nauvoo with the small force then under my command, but the officers were of opinion that it was too small, and many of them insisted upon a further call of the militia. Upon reflection I was of opinion that the officers were right in the estimate of our force; and the project for immediate action was abandoned. I was soon informed however, of the conduct of the constable and guard, and then I was perfectly satisfied that a most base fraud had been attempted; that in fact it was feared, that the Mormons would submit; and thereby entitle themselves to the protection of the law. It was very apparent that many of the bustling active spirits, were afraid that there would be no occasion for calling out an overwhelming militia force; for marching it into Nauvoo; for probable mutiny when there; and for the extermination of the Mormon race. It appeared that the constable and the escort were fully in the secret, and acted well their part, to promote the conspiracy.

Seeing this to be the state of the case, I delayed any further call of the militia, to give the accused another opportunity to surrender; for indeed I was most anxious to avoid a general call for the militia at that critical season of the year. The whole spring season preceding, had been unusually wet. No ploughing of corn had been done, and but very little planting. The season had just changed to be suitable for ploughing. The crops which had been planted, were universally suffering; and the loss of two weeks, or even of one, at that time, was likely to produce a general famine all over the country. The wheat harvest was also approaching; and if we got into a war, there was no foreseeing when it would end, or when the militia could safely be discharged. In addition to these considerations; all the grist mills in all that section of the country had been swept away, or disabled, by the high waters; leaving the inhabitants almost without meal or flour; and making it impossible then to procure provisions, by impressment or otherwise, for the sustenance of any consider-

able force. I was totally without funds belonging to the State, with which to purchase at more distant markets; and there was no manner of certainty that such purchases could have been made on the credit of the State, considering the embarrassed condition of the treasury. I was also desirous of avoiding the expense of a great armament; and of a war, the duration and expense of which, could not be foreseen; if they could be honorably avoided.

In the mean time I made a requisition upon the officers of the Nauvoo Legion, for the surrender of the State arms in their possession. It appears that there is no evidence in the Quarter master General's Office, of the number and description of the arms with which the Legion had been furnished. On this subject I applied to Genl. Wilson Law, for information. He had lately been the Major General of the Legion. He had seceded from the Mormon party; was one of the owners of the proscribed press; had left the city, as he said, in fear of his life; and was one of the party asking for justice against its constituted authorities. He was interested to exaggerate the number of arms, rather than to place it at too low an estimate. From his information I learned that the Legion had received three pieces of cannon and about two hundred and fifty stand of small arms and their accoutrements. Of these, the three pieces of cannon and two hundred and twenty stand of small arms, were surrendered. These arms were demanded because the Legion was illegally used in the destruction of the press, and in enforcing martial law in the city, in open resistance to legal process, and the posse comitatus.

I demanded the surrender also on account of the great prejudice and excitement which the possession of these arms by the Mormons, had always kindled in the minds of the people. A large portion of the people, by pure misrepresentation, had been made to believe that the Legion had received of the State as many as thirty pieces of artillery, and five or six thousand stand of small arms, which in all probability would soon be wielded for the conquest of the country; and for their subjection to Mormon domination. I was of opinion that the removal of these arms would tend much to allay this excitement and prejudice; and in point of fact, although wearing a severe aspect, would be an act of real kindness to the Mormons themselves.

On the 23d or 24th day of June, Joseph Smith, the Mayor of Nauvoo, together with his brother Hyrum, and all the members of the council, and all others demanded, came into Carthage and surrendered themselves prisoners to the constable, on the charge of riot. They all voluntarily entered into a recognizance before the Justice of the Peace for their appearance at court to answer the charge. And all of them were discharged from custody, except Joseph and Hyrum Smith, against whom the magistrate had issued a new writ, on a complaint for treason. They were immediately arrested by the constable, on this new charge, and retained in his custody, to answer it.

The overt act of treason charged against them, consisted in the alleged levying of war against the State by declaring martial law in Nauvoo, and in ordering out the Legion to resist the posse comitatus. Their actual guiltiness of the charge, would depend upon circumstances. If their opponents had been seeking to put the law in force in good faith, and nothing more, then an array of a military force in open resistance to the

posse comitatus, and the militia of the State, most probably would have amounted to treason. But if those opponents merely intended to use the process of the law, the militia of the State, and the posse comitatus, as cats paws to compass the possession of their persons for the purpose of murdering them afterwards, as the sequel demonstrated the fact to be, it might well be doubted whether they were guilty of treason.

Soon after the surrender of the Smiths, at their request I despatched Captain Singleton with his company from Brown county, to Nauvoo, to guard the town; and I authorized him to take command of the Legion. He reported to me afterwards, that he called out the Legion for inspection, and that upon two hours' notice, two thousand of them assembled, all of them armed; and this after the public arms had been taken away from them. So, it appears that they have a sufficiency of private arms, for any reasonable purpose.

After the Smiths had been arrested on the new charge of treason, the Justice of the Peace postponed the examination, because neither of the parties were prepared with their witnesses for trial. In the meantime he committed them to the jail of the county, for greater security.

In all this matter the justice of the peace and constable, though humble in office, were acting in a high and independent capacity, far beyond any legal power in me to control. I considered that the executive power, could only be called in to assist, and not to dictate, or control their action; that in the humble sphere of their duties, they were as independent, and clothed with as high authority by the law, as the Executive Department; and that my province was, simply, to aid them with the force of the State. It is true, that so far as I could prevail on them by advice, I endeavored to do so. The prisoners were not in military custody, or prisoners of war; and I could no more legally control these officers, than I could the superior courts of justice.

Some persons have supposed, that I ought to have had them sent to some more distant and friendly part of the State, for confinement and trial; and that I ought to have searched them for concealed arms; but these surmises and suppositions are readily disposed of, by the fact that they were not my prisoners; but were the prisoners of the constable and jailer, under the direction of the Justice of the Peace.

The jail in which they were confined, is a considerable stone building; containing a residence for the jailer, cells for the close and secure confinement of prisoners, and one larger room, not so strong, but more airy and comfortable than the cells. They were put into the cells by the jailer; but upon their remonstrance and request, and by my advice, they were transferred to the larger room; and there they remained until the final catastrophe. Neither they nor I, seriously apprehended an attack on the jail through the guard stationed to protect it. Nor did I apprehend the least danger on their part to escape. For I was very sure that any such an attempt would have been the signal of their immediate death. Indeed if they had escaped, it would have been fortunate for the purposes of those who were anxious for the expulsion of the Mormon population. For the great body of that people would most assuredly have followed their prophet and principal leaders, as they did in their flight from Missouri. Since their death, no one has arisen of influence enough to lead them in a similar manner.

The force assembled at Carthage amounted to about twelve or thirteen hundred men; and it was calculated that four or five hundred more, were assembled at Warsaw. Nearly all that portion resident in Hancock, were anxious to be marched into Nauvoo. This measure was supposed to be necessary, to search for counterfeit money, and the apparatus to make it; and also, to strike a salutary terror into the Mormon people, by an exhibition of the force of the State; and thereby prevent future outrages, murders, robberies, burnings and the like, apprehended as the effect of Mormon vengeance, on those who had taken a part against them. On my part, at one time this arrangement was agreed to. The morning of the 27th day of June was appointed for the march; and Golden's point, near the Mississippi river, and about equi-distant from Nauvoo and Warsaw, was selected as the place of rendezvous. I had determined to prevail on the Justice to bring out his prisoners, and take them along. A council of officers however, determined that this would be highly inexpedient and dangerous; and offered such substantial reasons for their opinions, as induced me to change my resolution.

Two or three days' preparations had been made for this expedition. I observed that some of the people became more and more excited and inflammatory, the further the preparations were advanced. Occasional threats came to my ears, of destroying the city and murdering or expelling the inhabitants.

I had no objection to ease the terrors of the people by such a display of force; and was most anxious also to search for the alleged apparatus for making counterfeit money; and in fact to enquire into all the charges against that people, if I could have been assured of my command against mutiny and insubordination. But I gradually learned to my entire satisfaction, that there was a plan to get the troops into Nauvoo, and then to begin the war, probably by some of our own party, or some of the seceding Mormons, taking advantage of the night, to fire on our own force, and then laying it on the Mormons. I was satisfied that there were those amongst us fully capable of such an act; hoping that in the alarm, bustle, and confusion of a Militia camp, the truth could not be discovered, and that it might lead to the desired collision.

I had many objections to be made the dupe of any such, or similar artifice. I was openly and boldly opposed to any attack on the city, unless it should become necessary, to arrest prisoners legally charged and demanded. Indeed if any one will reflect upon the number of women, inoffensive young persons, and innocent children, which must be contained in such a city, of twelve or fifteen thousand inhabitants, it would seem to me his heart would relent and rebel against such violent resolutions. Nothing but the most blinded and obdurate fury, could incite a person, even if he had the power, to the willingness of driving such persons, bare and houseless, on to the prairies, to starve, suffer, and even steal, as they must have done for subsistence. No one who has children of his own, could think of it for a moment.

Besides this, if we had been ever so much disposed to commit such an act of wickedness, we evidently had not the power to do it. I was well assured that the Mormons, at a short notice, could muster as many as two or three thousand well armed men. We had not more than seventeen hundred; with three pieces of cannon and about twelve hundred stand of

small arms. We had provisions for two days only; and would be compelled to disband at the end of that time. To think of beginning a war under such circumstances, was a plain absurdity. If the Mormons had succeeded in repulsing our attack, as most likely would have been the case, the country must necessarily be given up to their ravages until a new force could be assembled, and provisions made for its subsistence.— Or if we should have succeeded in driving them from their city, they would have scattered over the country; and being justly incensed at our barbarity, and suffering with privation and hunger, would have spread desolation all over the country, without any possibility on our part, with the force we then had, of preventing it. Again, they would have had the advantage of being able to subsist their force in the field, by plundering their enemies.

All these considerations were duly urged by me, upon the attention of a council of officers, convened on the morning of the 27th of June. I also urged upon the council, that such wanton and unprovoked barbarity on their part, would turn the sympathy of the people in the surrounding counties, in favor of the Mormons; and thereafter, it would be impossible to raise a volunteer Militia force, to protect such a people against them. Many of the officers admitted that there might be danger of collision. But such was the blind fury prevailing at the time, though not showing itself by much visible excitement, that a small majority of the council adhered to the first resolution of marching into Nauvoo; most of the officers of the Schuyler and McDonough Militia, voting against it; and most of those of the county of Hancock voting in its favor.

A very responsible duty now devolved upon me, to determine whether I would, as Commander in Chief be governed by the advice of this majority. I had no hesitation in deciding that I would not; but on the contrary, I ordered the troops to be disbanded, both at Carthage and Warsaw, with the exception of three companies, two of which were retained as a guard to the jail, and the other was retained to accompany me to Nauvoo.

The officers insisted much in council, upon the necessity of marching to that place to search for apparatus to make counterfeit money, and more particularly to terrify the Mormons from attempting any open or secret measures of vengeance against the citizens of the county, who had taken a part against them or their leaders. To ease their terrors on this head, I proposed to them that I would myself proceed to the city, accompanied by a small force; make the proposed search, and deliver an address to the Mormons; and tell them plainly what degree of excitement and hatred prevailed against them in the minds of the whole people; and that if any open or secret violence should be committed on the persons or property of those who had taken part against them, that no one would doubt but that it had been perpetrated by them; and that it would be the sure and certain means of the destruction of their city and the extermination of their people.

I ordered two companies under the command of Captain B. F. Smith, of the Carthage Greys to guard the jail. In selecting these companies, and particularly the company of the Carthage Greys, for this service, I have been subjected to some censure. It has been said that this company had already been guilty of mutiny, and had been ordered to be arrest-

ed, whilst in the encampment at Carthage; and that they and their officers were the deadly enemies of the prisoners. Indeed it would have been difficult to find friends of the prisoners, under my command, unless I had called in the Mormons as a guard; and this, I was satisfied, would have led to the immediate war, and the sure death of the prisoners.

It is true that this company had behaved badly towards the Brigadier General in command, on the occasion when the prisoners were shown along the line of the McDonough Militia. This company had been ordered as a guard. They were under the belief that the prisoners who were arrested for a capital offence, were shown to the troops in a kind of triumph; and that they had been called on as a triumphal escort to grace the procession. They, also entertained a very bad feeling towards the Brigadier General who commanded their service on the occasion.—The truth is, however, that this company was never ordered to be arrested; that the Smiths were not shown to the McDonough troops, as a mark of honor and triumph, but were shown to them at the urgent request of the troops themselves, to gratify their curiosity in beholding persons who had made themselves so notorious in the country.

When the Carthage Greys ascertained what was the true motive in showing the prisoners to the troops, they were perfectly satisfied. All due atonement was made on their part, for their conduct to the Brigadier General, and they cheerfully returned to their duty.

Although I knew that this company were the enemies of the Smiths, yet I had confidence in their loyalty and integrity; because their Captain was universally spoken of, as a most respectable citizen, and honorable man. The company itself, was an old, independent company, well armed, uniformed and drilled; and the members of it were the elite of the militia of the country. I relied upon this company especially, because it was an independent company, for a long time instructed and practised in military discipline and subordination. I also had their word and honor, officers and men, to do their duty according to law. Besides all this the officers and most of the men resided in Carthage; in the near vicinity of Nauvoo; and, as I thought must know that they would make themselves and their property, convenient and conspicuous marks of Mormon vengeance, in case they were guilty of treachery.

I had at first intended to select a guard from the county of McDonough; but the militia of that county were very much dissatisfied to remain; their crops were suffering at home; they were in a perfect fever to be discharged; and I was destitute of provisions to supply them for more than a few days. They were far from home, where they could not supply themselves. Whilst the Carthage company could board at their own houses, and would be put to little inconvenience, in comparison.

What gave me greater confidence in the selection of this company as a prudent measure, was that the selection was first suggested and urged by the Brigadier General in command, who was well known to be utterly hostile to all mobocracy and violence towards the prisoners; and who was openly charged by the violent party, with being on the side of the Mormons. At any rate, I knew that the jail would have to be guarded as long as the prisoners were confined; that an imprisonment for treason might last the whole summer and the greater part of the autumn, before

a trial could be had in the circuit court; that it would be utterly impossible in the circumstances of the country, to keep a force there from a foreign county, for so long a time; and that a time must surely come, when the duty of guarding the jail would necessarily devolve on the citizens of the county.

It is true, also, that at this time I had not believed or suspected, that any attack was to be made upon the prisoners in jail. It is true that I was aware that a great deal of hatred existed against them, and that there were those who would do them an injury if they could. I had heard of some threats being made, but none of an attack upon the prisoners whilst in jail. These threats seemed to be made by individuals, not acting in concert. They were no more than the bluster which might have been expected; and furnished no indication of numbers combining for this or any other purpose.

I must here be permitted to say, also, that frequent appeals had been made to me to make a clean and thorough work of the matter by exterminating the Mormons, or expelling them from the State. An opinion seemed generally to prevail, that the sanction of Executive authority would legalize the act; and all persons of any influence, authority, or note, who conversed with me on the subject, frequently and repeatedly stated their total unwillingness to act without my direction; or in any mode except according to law.

This was a circumstance well calculated to conceal from me, the secret machinations on foot. I had constantly contended against violent measures, and so had the Brigadier General in command; and I am convinced that unusual pains were taken to conceal from both of us, the secret measures resolved upon. It has been said, however, that some person named Williams, in a public speech at Carthage, called for volunteers to murder the Smiths; and that I ought to have had him arrested. Whether such a speech was really made or not, is yet unknown to me. I have heard the report of it for the first time, within the last few weeks.

Having ordered the guard, and discharged the residue of the militia, I immediately departed for Nauvoo, eighteen miles distant, accompanied by Col. Buckmaster, Quartermaster General, and Capt. Dunn's company of dragoons.

After we had proceeded four miles, Col. Buckmaster intimated to me, a suspicion that an attack would be made on the jail. He stated the matter as a mere suspicion, arising from having seen two persons converse together at Carthage, with some air of mystery. I, myself, entertained no suspicion of such an attack; at any rate none before the next day, in the afternoon. Because it was notorious, that we had departed from Carthage, with the declared intention of being absent, at least two days. I could not believe, that any person would attack the jail, whilst we were in Nauvoo; and thereby expose my life, and the lives of my companions, to the sudden vengeance of the Mormons, upon hearing of the death of their leaders. Nevertheless, acting upon the principle of providing against mere possibilities, I sent back one of the company, with a special order to Capt. Smith, to guard the jail strictly and at the peril of his life, until my return.

We proceeded on our journey four miles further. By this time I had

convinced myself that no attack would be made on the jail that day, or night. I supposed that a regard for my safety, and the safety of my companions, would prevent an attack, until those to be engaged in it, could be assured of our departure from Nauvoo. I still think, that this ought to have appeared to me, to be a reasonable supposition.

I, therefore, determined at this point, to omit making the search for counterfeit money in Nauvoo; and defer an examination of all the other abominations charged on that people, in order to return to Carthage that same night, that I might be on the ground in person, in time to prevent an attack on the jail, if any had been meditated. To this end we called a halt; the baggage wagons were ordered to remain where they were, until towards evening; and then return to Carthage.

Having made these arrangements, we proceeded on our march, and arrived at Nauvoo about four o'clock, of the afternoon, of the 27th day of June. As soon as notice could be given, a crowd of the citizens assembled, to hear an address, which I proposed to deliver them. The number present, has been variously estimated, from one to five thousand.

In this address I stated to them, how, and in what, their functionaries had violated the laws. Also the many scandalous reports in circulation against them, and that these reports, whether true or false, were generally believed by the people. I distinctly stated to them the amount of hatred and prejudice, which prevailed every where against them, and the causes of it at length.

I also told them plainly and emphatically, that if any vengeance should be attempted openly or secretly against the persons or property of the citizens, who had taken part against their leaders, that the public hatred and excitement was such, that thousands would assemble for the total destruction of their city; and the extermination of their people; and that no power in the State would be able to prevent it. During this address some impatience and resentment, were manifested by the Mormons, at the recital of the various reports enumerated concerning them; which they strenuously, and indignantly denied to be true. They claimed to be a law abiding people; and insisted, that as they looked to the law alone for their protection, so were they careful themselves to observe its provisions. Upon the conclusion of this address, I proposed to take a vote on the question, whether they would strictly observe laws, even in opposition to their prophet and leaders. The vote was unanimous, in favor of this proposition.

A short time before sun down, we departed on our return to Carthage. When we had proceeded two miles, we met two individuals, one of them a Mormon, who informed us, that the Smiths had been assassinated in jail, about five or six o'clock of that day. The intelligence seemed to strike every one with a kind of dumbness. As to myself, it was perfectly astounding; and I anticipated the very worst consequences from it. The Mormons had been represented to me as a lawless, infatuated, and fanatical people, not governed by the ordinary motives, which influence the majority of mankind. If so, most likely, an exterminating war would ensue, and the whole land would be covered with desolation.

Acting upon this supposition, it was my duty to provide as well as I

could for the event. I, therefore, ordered the two messengers into custody, and to be returned with us, to Carthage. This was done, to get time to make such arrangement as could be made; and to prevent any sudden explosion of Mormon excitement, before they could be written to, by their friends at Carthage. I, also, despatched messengers to Warsaw, to advise the citizens of the event. But the people there, knew all about the matter, before my messengers arrived. They, like myself, anticipated a general attack all over the country. The women and children were removed across the river; and a committee was despatched that night to Quincy for assistance. The next morning, by day light, the ringing of all the bells in the city announced a public meeting. The people assembled in great numbers, at an early hour. The Warsaw committee stated to the meeting, that a party of Mormons, had attempted to rescue the Smiths out of jail; that a party of Missourians, and others had killed the prisoners to prevent their escape; that the Governor and his party were at Nauvoo, at the time, when intelligence of the fact was brought there; that they, had been attacked by the Nauvoo Legion, and had retreated to a house, where they were then closely besieged. That the Governor had sent out word that he could maintain his position for two days, and would be certain to be massacred, if assistance did not arrive by the end of that time. It is unnecessary to say, that this entire story was a fabrication. It was of a piece with the other reports, put into circulation by the anti-Mormon party, to influence the public mind, and call the people to their assistance. The effect of it, however, was, that by ten o'clock, on the 28th of June, between two and three hundred men, from Quincy, under the command of Major Flood, embarked on board of a steam boat, for Nauvoo, to assist in raising the siege, as they honestly believed.

As for myself, I was well convinced that those, whoever they were, who assassinated the Smiths, meditated in turn, my assassination by the Mormons. The very circumstances of the case, fully corroborated the information, which I afterwards received, that upon consultation of the assassins, it was agreed amongst them, that the murder must be committed whilst the Governor was at Nauvoo; that the Mormons would naturally suppose that he had planned it; and that in the first outpouring of their indignation, they would assassinate him, by way of retaliation. And that thus they would get clear of the Smiths and the Governor, all at once. They, also, supposed, that if they could so contrive the matter, as to have the Governor of the State assassinated by the Mormons, the public excitement would be greatly increased against them, and would result in their expulsion from the State at least.

Upon the first hearing of the assassination of the Smiths, I was sensible that my command was at an end; that my destruction was meditated as well as that of the Mormons; and that I could not reasonably confide longer, in the one party or in the other.

The question then arose, what would be proper to be done. A war was expected by every body. I was desirous of preserving the peace. I could not put myself at the head of the Mormon force, with any kind of propriety; and without exciting greater odium against them, than already existed. I could not put myself at the head of the anti-Mormon party,

because they had justly forfeited my confidence, and my command over them, was put an end to, by mutiny and treachery. I could not put myself at the head of either of these forces; because both of them, in turn, had violated the law; and as I then believed, meditated further aggression. It appeared to me, that if a war ensued, I ought to have a force in which I could confide, and that I ought to establish my Head Quarters at a place where I could learn the truth, as to what was going on.

For these reasons, I determined to proceed to Quincy, a place favorably situated for receiving the earliest intelligence; for issuing orders to raise an army if necessary, and for providing supplies for its subsistence. But first, I determined to return back to Carthage, and make such arrangements as could be made for the pacification and defence of the country. When I arrived there, about 10 o'clock at night, I found that great consternation prevailed. Many of the citizens had departed with their families, and others were preparing to go. As the country was utterly defenceless, this seemed to me to be a proper precaution. One company of the guard, stationed by me, to guard the jail, had disbanded and gone home before the jail was attacked; and many of the Carthage Greys departed soon afterwards.

Gen. Deming, volunteered to remain, in command of a few men, with orders to guard the town, observe the progress of events, and to retreat if menaced by a superior force.

Here, also, I found Doct. Richards and Mr. Taylor, two of the principal Mormon leaders, who had been in the jail, at the time of the attack; and who voluntarily addressed, a most pacific exhortation to their fellow citizens, which was the first intelligence of the murder, which was received at Nauvoo. I think it very probable, that the subsequent good conduct of the Mormons, is attributable to the arrest of the messengers; and to the influence of this letter.

Having made these arrangements I departed for Quincy. On my road thither, I heard of a body of militia marching from Schuyler; and another from Brown. It appears, that orders had been sent out in my name, but without my knowledge, for the militia of Schuyler county. I immediately countermanded their march, and they returned to their homes. When I arrived at Columbus, I found that Captain Jonas had raised a company of one hundred men, who were just ready to march. By my advice, they postponed their march, to await further orders. I arrived at Quincy on the morning of the 29th of June, about 8 o'clock; and immediately issued orders, provisionally, for raising an imposing force, when it should seem to be necessary.

I remained at Quincy for about one month, during which time a committee from Warsaw, waited on me, with a written request that I would expel the Mormons from the State. It seemed, that it never occurred to these gentlemen, that I had no power to exile a citizen; but they insisted that if this were not done, their party would abandon the State. This requisition was refused, of course.

During this time also, with the view of saving expense, keeping the peace, and having a force which would be removed from the prejudices, in the country, I made application to the United States for five hundred

men, of the regular army, to be stationed for a time, in Hancock county, which was subsequently refused.

During this time, also, I had secret agents amongst all parties, observing their movements; and was accurately informed of every thing which was meditated on both sides. It appeared that the anti-Mormon party, had not relinquished their hostility to the Mormons; nor their determination to expel them; but had deferred further operations until the fall season, after they had finished their summer's work on their farms.

I cannot lay before you the estimates, of the costs of these proceedings. I do not know that any estimates have ever been made by the proper officers; and certainly none have been returned to me, except for the transportation of the Quincy Militia to Warsaw and back. And I do not know that any claim will be made by the men.

I omit to say any thing of the manner of the murder of the Smiths; or of the persons by whom the murder was committed, because several persons are under indictment for their supposed share in the act; and it is not proper that I should say any thing, which might, possibly prejudice a fair and impartial trial.

It has always appeared to me, however, that the persons who committed the deed, ought to be made to answer for their crime. The honor of the State and the supremacy of the laws seemed to be compromised; a trial ought to be insisted on, exactly as in other cases; and if the accused, have all the matters of defence and justification on their side, which they claim, they will be able to show them to the court.

During the latter part of August and first of September last, I observed that the anti-Mormon paper, in Hancock county, renewed its attacks on the Mormons; every number of which, groaned with charges of larcenies and robberies and meditated outrages. By this fact, connected with my previous information, I was certain that the time was approaching, when a new attempt was to be made to expel the Mormons. In a short time afterwards, I ascertained that the officers of the militia in Hancock county, had appointed a grand military parade, at Warsaw to come off on the 26th day of October. Circulars were printed, signed by these officers, and extensively circulated in Iowa Territory; in the State of Missouri; and in the neighboring counties; inviting the militia in all those parts, to attend the parade; and to come prepared for a six days' encampment.

It was also extensively given out, that there was to be a grand wolf hunt; and that the Mormons and Jack-Mormons, were the wolves to be hunted. A large number engaged in getting up this movement, openly stated, that the object of it, was to make war on the Mormons.

I could not hesitate, as to what duty required. The State had already been in danger of disgrace by a treacherous and cowardly murder. The Mormons had been peaceable, submissive and quiet, ever since the death of the Smiths; and contrary to general expectation instead of attempting to avenge themselves, either openly or secretly, had quietly, and patiently submitted to the slow operation of the laws, to redress their grievances.

They were human beings, and citizens of the State. They had not been disfranchised by law, and were constitutionally entitled to protection.

From respect to the prejudices of my fellow-citizens, I declined to au-

thorise the Legion to be called out, to suppress disturbances; but immediately issued a call for volunteers from the State militia.

The call was answered by four or five hundred men. I requested General Hardin, to take the command. He did so with alacrity; thereby exhibiting a patriotic devotion, in maintaining the supremacy of the law, even against the advice of many of his personal and political friends.

We marched with as much alacrity as possible, and arrived in Hancock county, on the 25th day of October. The malcontents abandoned their design, and I believe all the leaders of it fled to Missouri. The Carthage Grey's fled almost in a body; and every one fled who, from his previous conduct, supposed himself obnoxious as a leader.

During our presence in the county writs were taken out against three persons charged with the murder of the Smiths. They also fled to Missouri. As for myself, although I was determined from the first, for the honor of the State, that this murder should be fully enquired into; and some of the guilty brought to trial; yet, I was never anxious to proceed with the full rigor of the law. I always insisted that the prosecutions should be limited to a few individuals, and I was utterly opposed to all such unnecessary harshness, as would excite sympathy in their favor.

For this reason, I consented to advise the prosecuting attorney, to admit them to bail and to agree to a continuance of the cause, if desired, by the defendants. Upon this arrangement being made, to which I was also advised by Gen. Hardin and Col. Baker, the persons accused surrendered themselves to the Sheriff.

The militia were disbanded next morning and returned home, after a campaign of about thirteen days.

The good effect of this expedition is, that in my opinion it has saved much bloodshed; and has prevented a more extensive contest than many persons anticipated, all over that part of the country: to which the people, from political considerations, growing out of an excited election then pending, were about to be made parties.

It also, shewed to both parties in Hancock, that the people at a distance would not be quiet spectators of such a contest; but would rally around their constituted authorities to put it down. This is a fact, which one of the parties, before the experiment was tried, would not believe. They supposed that the Mormons, were so odious and unpopular, that they might be massacred with impunity; that the people, generally would not have the will, nor the Government the power, to interfere to prevent it.

I have not yet received the estimates of the costs of this expedition; but I am informed by letter from Maj. W. B. Warren, Aid de Camp to Gen. Hardin, who is preparing them, that the whole cost, will not exceed eight or nine thousand dollars. When they are received, they will be laid before you.

I have extended this account, I am afraid too far; and yet there is much to say, calculated to throw light, on these proceedings.

As to the Nauvoo charters, about which so much has been said, among the people, the privileges therein contained, were much abused during the lifetime of the Smiths. Ordinances have been passed, inflicting a different and more severe punishment, upon well defined crimes than what is provided by the laws of the State. The city council passed an ordinance,

that no arrest should be made in the city, unless the writ for that purpose, should be first approved and endorsed by the Mayor. They also, provided for a severe punishment, against any officer attempting such arrest, without this approval; and enacted that the Governor of the State should not pardon the offender, except by consent of the Mayor. And they, also provided that the Municipal court, should have a general power to issue writs of habeas corpus. These last ordinances are alleged to have been passed to protect their citizens, from the continued persecutions of the Missourians. They may have been useful, in the lifetime of the Smiths to protect them; but since their death, there has been, and most probably will be, no call for the exercise of such usurped authority.

The Nauvoo Legion also, has been a great offence to the people of this State. It has been represented to be a standing army, of four or five thousand, well drilled, and well disciplined forces. This legion was called out for review, during my last visit there. I do not pretend myself to be skilled in military science; but it was the decided opinion of all the field officers, who accompanied me, that this legion is in no wise superior to the common militia, and that in fact they were inferior to most of the militia in the State.

I would recommend that the Legion be repealed; and that Nauvoo, should be formed into a brigade by itself. It will be impossible for the Nauvoo militia, and that of the surrounding country, to act together in peace for some time to come.

I see very strong indications on the part of both Houses, to make an entire repeal of all these charters. I do not see how, ten or twelve thousand people, can well do in a city, without some chartered privileges. I would advise, that all the obnoxious parts, of these charters should be repealed; and an ample provision made against any future abuses of power, thus leaving all the really useful parts of their city charter; and placing them upon grounds of some equality with other citizens. This is republican and cannot be denied without injustice.

I am very respectfully,

Your obedient servant,

THOMAS FORD.

On motion of Mr. Nunnally,

Said message was laid on the table and 2500 copies of the same ordered to be printed for the use of the two Houses.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion of Mr. Cavarly,

The rule was dispensed with, and the following resolution offered by him was read and adopted.

Resolved, That the Governor be respectfully requested to lay before the Senate at as early a day as practicable all the information in his possession touching the number and amount of the State bonds (Internal Improvement as well as canal bonds) which were deposited in the hands of John Wright & Co. of London, for sale, as the agent of this State, by the Fund Commissioner or other agents of this State.

2d. The number and amount of said bonds withdrawn after the failure of said John Wright & Co.

3d. The number and amount of bonds for which the estate of said John Wright & Co. was made liable, and the amount of dividends arising from the assets of said estate, which have been declared in favor of the State of Illinois.

4th. What disposition has been made of said dividends, and the amount received, and the agents by whom received.

Mr. Constable offered for adoption the following preamble and resolution, which, under the rule, lie one day on the table:

Whereas, Many rumors are in circulation connected with the recent contract for binding the Journals, Reports, and the contemplated revision of the laws of the present session; and *whereas*, these rumors are contradictory, unsatisfactory, and reflecting upon the character of one of the officers of State, one of the contracting parties, therefore,

Be it resolved, That a select committee of three be raised, whose duty it shall be to inquire fully into the particulars of said contract, whether the same has been made in accordance with law, and that they report how said law was complied with, what proposals were offered, and the purport of those proposals, and that they be empowered to send for persons and papers.

On motion of Mr. Constable,

The rule was dispensed with, and said preamble and resolution taken up for consideration, and then,

On motion of Mr. Dougherty,

The same were amended by striking out the words "and that they be empowered to send for persons and papers."

The question was then taken upon the adoption of said preamble and resolution, as amended, and decided in the affirmative.

Ordered; That Messrs. Constable, Dougherty and Judd, be said committee.

Mr. Thompson offered for adoption the following resolution, which lies one day on the table:

Resolved by the Senate, the House concurring therein, That a joint committee consisting of two on the part of the Senate and three on the part of the House be appointed; the same to be styled the joint standing committee on Change of Names, to whom shall be referred all petitions for that purpose to be reported near the close of the session, in form of a bill, including all names so changed thereby condensing the subject avoiding vain repetitions and useless expenditure.

Mr. Forman offered for adoption the following resolution, which lies one day on the table:

Resolved, That the Auditor of Public Accounts be requested to inform this House the sums paid to each of the commissioners appointed by the Governor to select the lands granted by the United States to the State of Illinois under the distribution act, the time each was employed as such commissioner, and also all other expenses arising out of such selection.

On motion,

The Senate adjourned until 2 o'clock.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Powers, on leave, introduced a bill entitled "An act to amend an act re-organizing the judiciary of the State of Illinois, which became a law on the tenth day of February, one thousand eight hundred and forty one;" which was read, and

Ordered to a second reading.

On motion of Mr. Powers,

The rule was dispensed with, and said bill read a second time by its title, and,

On motion of Mr. Parker,

Referred to the Committee on the Judiciary.

A message from the Council of Revision, by Mr. Hawley, their Clerk.

Mr. Speaker: I am directed by the Council of Revision to inform the Senate that they have approved a bill of the following title, to wit: "An act for the relief of the Jordan School District, in township ten north, range four, east of the third principal meridian, in the county of Shelby."

The orders of the day were taken up, and the bill entitled "An act for the relief of the securities of Richard J. Hill, deceased."

"An act vacating a part of a street in the town of St. Charles in Kane County."

"An act concerning the location of a road therein mentioned."

"An act for the relief of William Moss," and,

"An act to authorize the county of Kane to levy an extra tax for county purposes;" were severally read a third time and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bills.

The bill from the House of Representatives entitled "An act to relocate part of the State Road leading from Griggsville in Pike County, to the Mississippi river;" was read a third time, and on the question "Shall the bill pass?" It was decided in the affirmative by yeas and nays as follows:

Those voting in the affirmative are,

Messrs. Allen, Boal, Constable, Crain, Davis, Dunlap, Edwards, Fithian, Forman, Harris, Harrison, Henry, Judd, Leviston, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Nunnally, Parker, Powers, Ruggles, Ryan, Vandeventer, Warren, Waters and Worthington—29.

Those voting in the negative are,

Messrs. Catlin, Cavarly, J. Smith, G. Smith, Thompson, Webb, Wilbanks and Wynne—8.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives entitled "An act to permanently fix the seat of justice of McHenry county;" was read a third time.

Mr. Minard moved to amend said bill by adding the following as an additional section:

"Section 2. This Act to take effect from and after its passage;" which was agreed to, and said bill as amended was passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendment to said bill.

The bill from the House of Representatives entitled "An act to repeal an act entitled an act to incorporate Shawnee city;" was read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives entitled "An act to regulate mortgages on personal property;" was read, and ordered to a second reading, and.

On motion of Mr. Webb,

The rule of the Senate was dispensed with, said bill read a second time by its title, and,

Referred to the Committee on the Judiciary.

The bills from the House of Representatives entitled "An act for the benefit of schools of township eight north of range six east, in Effingham county."

"An act to locate a State road from Little Rock in Kane county to the steam-mill bridge on the Des Plaines river in Cook county."

"An act to locate a State road herein named," and,

"An act fixing the compensation of Jurors;" were severally read, and *Ordered* to a second reading.

The bill from the House of Representatives entitled "An act to authorise the recorder of Jackson county to enter of record certain deeds or other instruments in writing herein named;" was read and ordered to a second reading, and,

On motion of Mr. Allen,

The rule of the Senate was dispensed with, said bill read a second time by its title, and,

Referred to a Select Committee.

Ordered, That Messrs. Allen, Ruggles, and Wilbanks be that committee.

The preamble and resolution from the House of Representatives on the subject of the reformation of abuses in the military academy at West Point, was read.

Mr. Edwards called for a division of the question, so as to take the vote separately on concurring with the House of Representatives in the adoption of the same.

The question was then taken on concurring with the House of Representatives in the adoption of the preamble, and decided by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Crain, Dunlap, Forman, Harris, Judd, Leviston, Markley, Matteson, McMillan, Minard, Morrison, Nunnally, Ruggles, G. Smith, Vandeventer, Warren and Wilbanks—18.

Those voting in the negative, are,

Messrs. Boal, Catlin, Cavarly, Constable, Davis, Edwards, Fithian,

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Harrison, Henry, McMurty, Parker, Powers, Ryan, J. Smith, Thompson, Webb, Worthington and Wynne—18.

There being a tie, Mr. Speaker voted in the affirmative, so the preamble was concurred in.

Mr. Boal moved that the resolution be amended by inserting the words "if any exist," after the word "abuses."

Mr. Minard moved that the amendment be laid on the table; which was decided in the affirmative, by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Catlin, Cavarly, Crain, Dunlap, Forman, Harris, Judd, Leviston, Markley, Matteson, McMillan, Minard, Morrison, Nunnally, J. Smith, Vandeventer, Warren and Wilbanks—19.

Those voting in the negative, are,

Messrs. Boal, Constable, Davis, Edwards, Fithian, Harrison, Henry, McMurtry, Parker, Powers, Ruggles, Ryan, G. Smith, Thompson, Waters, Webb, Worthington and Wynne—18.

The question was then taken on concurring with the House of Representatives, in the adoption of the resolution, and decided in the affirmative, by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Catlin, Cavarly, Constable, Crain, Dunlap, Edwards, Fithian, Forman, Harris, Harrison, Judd, Leviston, Markley, Matteson, McMillan, Minard, Morrison, Nunnally, Powers, Ruggles, J. Smith, G. Smith, Thompson, Vandeventer, Warren, Waters, Wilbanks and Wynne—29.

Those voting in the negative, are,

Messrs. Boal, Davis, Henry, McMurtry, Parker, Ryan, Webb and Worthington—8.

Ordered, That the Secretary inform the House of Representatives thereof.

The resolution some days since offered by Mr. G. Smith, requesting the committee on School Lands and Education to ascertain what benefits have been derived by the deaf and dumb children in this State, from the appropriation made out of the school fund, &c. was read and adopted.

The resolution of Mr. Warren in relation to amending the election law of this State so as to have the returns of the election of electors of President and Vice President of the United States made to the Secretary of State by mail, &c.; was read and adopted.

The resolution of Mr. Leviston calling upon the Governor for information as to the amount of money expended in sending commissioners to England to negotiate the canal loan; was read and adopted.

The preamble and resolution of Mr. Ryan in relation to amending the laws so as to make it a penal offence to issue bills of credit, bank notes, &c., as a circulating medium without authority of law; were read and adopted.

The resolution of Mr. Killpatrick calling upon the Governor for information of the amount of money paid or to be paid to the agents, counsellors, officers and militia summoned by him to quell the riots in the county of Hancock, &c.; was read, and

On motion of Mr. McMurtry,

Laid on the table.

The resolution offered by Mr. Fithian on the subject of the completion of the projected Internal Improvements of this State, the payment of the State debt, &c., was taken up, and

On motion of Mr. Cavarly,

Referred to a Committee of the Whole Senate and made the order of the day for Thursday of next week, at 2 o'clock P. M.

The resolution offered by Mr. Boal in relation to *ex officio* services of sheriffs, clerks, &c., was read and adopted.

The resolution offered by Mr. Nunnally instructing the committee on the judiciary to make inquiry as to the propriety of amending the law relative to Probate Justices of the Peace, was read, and adopted.

The resolution offered by Mr. Matteson in relation to the bridge across Salt creek on the road from Peoria to Springfield, was read, and adopted.

The resolution offered by Mr. Boal in relation to ferries on the 16th sections, was read and adopted.

On motion,

The Senate adjourned.

TUESDAY, DECEMBER 24, 1844.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Dresser.

Mr. Crain presented the petition of 75 citizens of Washington county, praying the passage of a law restoring Thomas A. Nichols to the rights of a citizen; which was read, and

On motion of Mr. Crain,

Referred to a Select Committee.

Ordered, That Messrs. Crain, Dougherty and Wilbanks be that committee.

Mr. Parker from the committee on Enrolled bills reported as correctly enrolled bills of the following titles:

"An act to amend an act entitled 'An act to incorporate the Rush Medical College,' " and

"An act to incorporate the University of St. Mary of the Lake;" and that said bills have this day been laid before the Council of Revision.

A message from the House of Representatives by Mr. Morrison, a member of the House.

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed bills of the following titles:

"An act to remove the seat of justice of Johnson county," and

"An act to repeal an act to enable the inhabitants of school townships in Hancock county, to purchase the school lands therein, and for other purposes."

In which they ask the concurrence of the Senate.

The House of Representatives have concurred with the Senate in the passage of a bill for "An act to authorize the school commissioner of Cass county to distribute school funds."

Mr. Minard from the Committee on Finance, to which was referred a

bill for "An act for the disposition of unclaimed costs in certain cases;" reported the same back to the Senate without amendment, and recommended its passage.

On motion of Mr. G. Smith,

Said bill was recommitted to the same committee.

Mr. Allen from the Select Committee, to which was referred "An act to authorize the recorder of Jackson county to enter of record certain deeds, or other instruments in writing herein named," reported the same back to the Senate, without amendment.

Ordered, That said bill be read a third time.

Mr. Warren offered for adoption the following order:

Ordered, That in future, during the present session, the bar of this chamber be used and occupied by the Senate and the committees of the Senate alone, and not by any lecturer or lecturers.

And on the question, "Shall the order be adopted?" It was decided in the negative, by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Catlin, Cavarly, Crain, Dunlap, Harris, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, J. Smith, Vandeventer, Warren, Wilbanks and Wynne—16.

Those voting in the negative, are,

Messrs. Allen, Boal, Buford, Constable, Davis, Dougherty, Edwards, Fithian, Forman, Harrison, Henry, Judd, Killpatrick, Leviston, McMillan, Morrison, Powers, Ruggles, G. Smith, Thompson, Waters and Webb—22.

On motion of Mr. Buford,

Ordered, That the Secretary of the Senate respectfully request the Hon. the House of Representatives to cause to be returned to the Senate the preamble and resolution concurred in by the Senate on yesterday, on the subject of the Military Academy at West Point, for the further action of the Senate thereon.

Mr. Wynne offered for adoption the following resolution, which lies one day on the table:

Resolved by the Senate, That when any Senator shall rise from his seat and ask leave to say "one word" "a single word" or "two words," such leave being granted, he shall not be allowed to add thereto more than six thousand words during his "one or two word" privilege.

Mr. Vandeventer moved to dispense with the rule, and that the resolution be now considered; which was not agreed to.

Mr. Powers offered for adoption the following resolution, which lies one day on the table:

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of limiting the term of service of probate justices, justices of the peace and constables to one year, and that they report by bill or otherwise.

On motion of Mr. Dougherty,

The rule was dispensed with, and said resolution read and adopted.

Mr. Cavarly asked and obtained leave of absence for Mr. J. Smith for one week.

Mr. Webb asked and obtained leave of absence for one week for Mr. Worthington.

On motion of Mr. Killpatrick,

The order of business was suspended, and the resolution offered by him requesting the Governor to lay before the Senate certain information connected with the proposed loan for the completion of the Illinois and Michigan canal, was taken from the table, and on his further motion,

Laid on the table.

Mr. Davis moved that the Senate adjourn until Thursday next; which was decided in the affirmative, by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Buford, Davis, Edwards, Fithian, Forman Harrison, Henry, Judd, Killpatrick, Leviston, McMurtry, Morrison, Ryan, J. Smith, Thompson, Waters, Webb and Wynne—20.

Those voting in the negative, are,

Messrs. Catlin, Cavarly, Constable, Crain, Dougherty, Dunlap, Harris, Markley, Matteson, McMillan, Minard, Nunnally, Parker, Powers, Ruggles, G. Smith, Vandeventer, Warren and Wilbanks—19.

THURSDAY, DECEMBER 26, 1844.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Hale.

Mr. Minard presented the petition of 166 legal voters of township 41, north of range 8 east, praying for the passage of an act to authorize them to levy a tax to build and keep in repair a bridge across Fox river at Elgin, in Kane county; and on his motion the reading of the same was dispensed with, and said petition referred to the committee on the Judiciary.

Mr. Constable presented the petition of sundry citizens of Wayne county, praying for the passage of an act to locate a road from Olney in Richland to Fairfield in Wayne county; and on his motion the reading of the same was dispensed with, and said petition referred to the committee on Public Roads.

A message from the Governor, by Thompson Campbell, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing.

Mr. Constable from the committee on the Judiciary, to which was referred the bill entitled "An act authorizing administrators and executors from other States to prosecute suits in this State," reported the same back with an amendment which was concurred in, and said bill as amended was,

Ordered to be engrossed for a third reading.

Mr. Cavarly, on leave given, presented a letter from J. C. Davis a Senator; which was read as follows:

Hon. A. W. CAVARLY,

SIR: I have been this day arrested by the sheriff of Hancock county

on a writ issued from the clerk of the circuit court of said county. I ask that you may place this matter before the Senate that I may enjoy the privileges of a member of that body under the rules.

December 26, 1844.

J. C. DAVIS.

On motion of Mr. Dougherty,
Said communication was laid on the table.

On motion of Mr. Dougherty,
The order of business was suspended, and the following read and adopted:

Whereas: It is represented that Minor R. Deming, sheriff of Hancock county has arrested the Hon. Jacob C. Davis, one of the members of the Senate; and whereas, the cause of such arrest should be known to the Senate with a view to prevent an invasion of the rights of the Senate. Therefore,

Ordered, That a committee of three be appointed to enquire and report to the Senate the cause if any of such arrest, and for that purpose may issue compulsory process to compel the attendance of said Deming and his aidors and abettors, to appear before them, and bringing the said Davis and his process to be examined by them, and that they report the facts at their earliest convenience to the Senate.

Ordered, That Messrs. Dougherty, Webb and Judd be that committee.

Mr. Leviston from the committee on Internal Improvements, to which was referred a bill for "An act for the relief of certain settlers on State lands," reported the same back to the Senate with an amendment which was concurred in, and said bill as amended,

Ordered to be engrossed for a third reading.

Mr. Cavarly from the committee on the Judiciary, which had been instructed by resolution of the Senate, to inquire into the expediency of extending the Jurisdiction of justices of the peace, &c., reported a bill for "An act to increase the jurisdiction of justices of the peace in certain cases;" which bill was read, and

Ordered to a second reading.

Mr. Cavarly from the same committee which had had under consideration a preamble and resolution adopted by the Senate, on the subject of the bills or paper of the Wisconsin Marine and Fire Insurance Company, &c., reported the same back to the Senate, and asked to be discharged from the further consideration thereof.

Ordered, That said committee be so discharged.

On motion of Mr. G. Smith,

Said preamble and resolution were laid on the table.

Mr. Judd from the same committee, which had had under consideration a resolution of the Senate, offered by Mr. Boal, in relation to *ex officio* services of clerks, &c., reported the same back to the Senate; and the committee were discharged from the further consideration thereof.

On motion of Mr. Ruggles,

Said resolution was laid on the table.

On motion of Mr. Judd,

The rule was dispensed with, and the following resolution offered by him, read and adopted:

Resolved, That the committee on the Judiciary be instructed to enquire into and examine the several laws allowing lands belonging to the State, but which have been sold on a credit to be taxed, and whether the interest of the State as well as of the purchasers are sufficiently protected, and that they report by bill or otherwise.

Mr. Killpatrick offered for adoption the following preamble and resolution, which lie one day on the table.

Whereas: The completion of the Illinois and Michigan Canal seems to depend upon the action of the present Legislature in levying a tax sufficient at least to pay a portion of our State debt; and whereas, our canal bond-holders have manifested a willingness to advance money sufficient to finish said canal, on the condition such levy is made by the present Legislature; and whereas, his Excellency the Governor, has urged upon us the necessity of increasing the taxes on the people as the only means left to restore the credit of the State and finish said canal. Therefore,

Resolved, That it is the opinion of the Senate that the present Legislature should increase the revenue of the State by taxation or otherwise, so as to restore the credit of the State, and finish the Illinois and Michigan Canal.

Mr. Minard, on leave, introduced a bill for "An act to authorize Rice Fay to build a dam across Fox river;" which was read, and

Ordered to a second reading.

Mr. Speaker laid before the Senate the following communication:

EXECUTIVE DEPARTMENT,
Springfield, December 26, 1844.

To the Senate:

The accompanying militia bill has been prepared by a board of General officers of the militia. By their request, I have the honor to lay the same together with their letter on the subject before the Senate.

I am most respectfully,

Your most obedient servant,

THOMAS FORD.

Which communication was read, and

On motion of Mr. Webb,

Referred together with the accompanying papers to the committee on Military Affairs.

On motion of Mr. Nunnally,

Ordered, by the Senate, That the documents accompanying the Governor's Message just before the Senate be not entered on the Journal of the Senate.

The orders of the day were taken up.

The bill entitled "An act concerning estrays," was read a second time, and

On motion of Mr. Harris,

Referred to a select committee of five.

Ordered, That Messrs. Harris, Killpatrick, Wilbanks, Catlin and McMurtry, be that committee.

The bill from the House of Representatives entitled "An act to author-

ize the recorder of Jackson county to enter of record certain deeds or other instruments in writing herein named," was read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives entitled "An act fixing the compensation of jurors," was read a second time, and

On motion of Mr. Fithian,

Referred to the committee on the Judiciary.

The bill from the House of Representatives entitled "An act for the benefit of schools of township eight, north of range six east, in Effingham county," was read a second time, and

On motion of Mr. Cavarly,

Referred to the committee on the Judiciary.

The bill from the House of Representatives entitled "An act to locate a State road from Little Rock in Kane county, to the Steam-mill bridge on the Des Plaines river in Cook county," was read a second time, and

On motion of Hr. Henry,

Referred to the committee on Public Roads.

The bill from the House of Representatives entitled "An act to locate a State road herein named," was read a second time, and

On motion of Mr. Fithian,

Referred to the committee on Public Roads.

The bill for "An act to remove the seat of justice of Johnson county," was read, and

Ordered to a second reading.

On motion of Mr. Waters,

The rule was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading.

The bill for "An act to repeal an act to enable the inhabitants of school townships in Hancock county to purchase the school lands therein, and for other purposes," was read, and

Ordered to a second reading.

The joint resolution offered by Mr. Thompson, providing for the appointment of a joint standing committee on Change of Names, was read and adopted.

Ordered, That Messrs. Thompson and Nunnally be the committee on the part of the Senate.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

The resolution offered by Mr. Forman, requesting the Auditor of Public Accounts to inform the Senate of the sums paid to each of the commissioners appointed by the Governor to select certain lands, &c., was read and adopted.

The resolution offered by Wynne, in reference to leave granted to Senators to address the Senate, was read, and

On motion of Mr. Crain,

Laid on the table.

On motion of Mr. Warren,

Leave of absence was granted to Mr. Parker until Tuesday next.

On motion of Mr. Allen,

Leave of absence was granted to Mr. Vandeventer until Tuesday next.

Mr. Wilbanks from the committee on Public Buildings, to which was referred a communication from the Treasurer of State, on the subject of the State House debt, reported the same back, and the committee were discharged from the further consideration thereof.

On motion of Mr. Ruggles,

Said communication was laid on the table.

On motion of Mr. Judd,

The bill from the House of Representatives for "An act for the relief of Nathaniel P. Cilley," was taken from the table, and

On the further motion of Mr. Judd,

Laid on the table.

On motion of Mr. Constable,

The rule of the Senate was dispensed with, and the following preamble and resolutions offered by him, read and adopted:

Whereas: The sixteenth section commonly known as the school section in many of the townships in this State are situate in large prairies remote from timber and from other causes are so worthless as to render wholly abortive the object contemplated in the grant of such sections to the inhabitants of this State.

Therefore, be it resolved by the General Assembly of the State of Illinois, That our Representatives in Congress be requested, and our Senators instructed to use their most strenuous exertions to secure the passage of a general law by the present Congress, authorizing and empowering the inhabitants of townships laboring under the difficulty contemplated in this resolution, upon relinquishing their interest in said sixteenth sections to the Government of the United States, to enter a corresponding number of acres of land in lieu thereof, in the name of the trustees of schools of said township at the land office, at which lands in the land district of the United States, in which said townships are situate and subject to entry.

Resolved, That the Governor of this State be respectfully requested to forward to each of our Senators and Representatives in Congress a copy of the foregoing preamble and resolution.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Dougherty from the select committee, which was raised this morning for the purpose of investigating the facts in relation to the arrest of the Hon. J. C. Davis, a Senator, made a report thereon; which was read, and

On motion of Mr. Dougherty,

Laid on the table.

On motion of Mr. Dougherty,

Ordered by the Senate, That Minor R. Deming, sheriff of Hancock county, forthwith discharge the Hon. Jacob C. Davis, a member of this Senate from imprisonment; and that the Sergeant-at-Arms serve a copy of this order on the said Minor R. Deming.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Speaker announced that the Sergeant-at-Arms had served a copy of the order adopted this morning upon Minor R. Deming, sheriff of Hancock county.

On motion,

The Senate adjourned.

FRIDAY, DECEMBER 27, 1844.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Edson.

Mr. Allen from the committee on the Judiciary, to which was referred a preamble and resolution in relation to the carrying of deadly weapons, &c., reported the same back and asked to be discharged from a further consideration of the subject.

On motion of Mr. Crain,

Said preamble and resolution were referred to a select committee.

Ordered, That Messrs. Crain, Ruggles and Morrison, be that committee.

Mr. Constable from the same committee, to which was referred the bill entitled "An act to amend an act re-organizing the Judiciary of the State of Illinois, which became a law on the tenth day of February one thousand eight hundred and forty one;" reported the same back without amendment, and recommended the rejection of said bill.

Mr. Powers moved to refer said bill to a select committee; which was not agreed to, and said bill was,

On motion of Mr. Constable,

Laid on the table.

Mr. Cavarly from the same committee, to which was referred a resolution in relation to limiting the term of service of probate justices, justices of the peace and constables to one year; reported the same back and asked to be discharged from a further consideration of the subject, and

On motion of Mr. Cavarly,

Said resolution was laid on the table.

Mr. Cavarly from the same committee, to which was referred a resolution having for its object the propriety of requiring probate justices of the peace to give receipts for notes of deceased persons left in their hands, &c., made an adverse report thereon, and asked to be discharged from a further consideration of the subject.

On motion of Mr. Cavarly,

Said resolution was laid on the table.

Mr. Cavarly from the same committee, to which was referred a bill entitled "An act concerning corporations;" reported the same back with an amendment which was concurred in.

Mr. Killpatrick moved to amend the 4th section of said bill by inserting after the word "majority" the words "of two thirds."

Mr. Henry moved the indefinite postponement of said bill and the proposed amendment.

Mr. Cavarly moved to lay said motion on the table, which was not agreed to.

And the question then being taken upon the indefinite postponement of said bill and the proposed amendment, it was decided in the negative.

The question then being taken upon the adoption of the amendment proposed by Mr. Killpatrick, it was decided it the negative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Constable, Edwards, Harrison, Henry, Johnson, Killpatrick, Ruggles, G. Smith and Webb.—11.

Those voting in the negative, are,

Messrs. Allen, Catlin, Cavarly, Crain, Davis, Dougherty, Fithian, Forman, Harris, Judd, Leviston, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Nunnally, Powers, Thompson, Warren, Waters, Wilbanks and Wynne—24.

Mr. Killpatrick moved to amend the third section of said bill by adding the following:

“Provided, that if such judgment creditors shall agree to a delay in the collection or a stay of execution for a greater length of time than one year, such delay or stay of execution shall not work a forfeiture of said charter.”

On motion of Mr. Constable,

Said amendment was amended by striking out all after the word “provided” and adding the following:

“That no such forfeiture of charter shall enure until application made as aforesaid by such judgment creditor, and decision had thereon by the court to which application is made.”

The amendment as amended was then adopted:

On motion of Mr. Cavarly,

Said bill was further amended by adding to the 4th section thereof the following:

“Provided further, that no town incorporated by any special act of the Legislature shall be affected by the provisions of this section.”

Mr. Webb moved that the bill be further amended by striking out the third and fourth sections; which was not agreed to.

The question was then taken on ordering said bill as amended, to be engrossed for a third reading, and decided in the affirmative, by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Buford, Catlin, Cavarly, Crain, Davis, Dougherty, Fornian, Harris, Judd, Leviston, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Nunnally, Powers, Thompson, Warren, Wilbanks and Wynne—22.

Those voting in the negative, are,

Messrs. Allen, Boal, Constable, Edwards, Fithian, Harrison, Henry, Johnson, Killpatrick, Ruggles, G. Smith and Webb—12.

On motion,

The Senate adjourned until Monday next.

MONDAY, DECEMBER 30, 1844.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Bergen.

Mr. Allen from the committee on the Judiciary, to which was referred a resolution proposing the passage of a law to prevent firing prairie and timber lands; reported the same back and asked to be discharged from a further consideration of the subject.

On motion of Mr. Ruggles,

Said resolution was laid on the table.

Mr. Johnson from the select committee, to which was referred the bill entitled "An act more effectually to prevent trespassing by cutting timber;" reported the same back with an amendment which was concurred in.

Mr. Cavarly moved to amend the second section of said bill by striking out "capias" and inserting "execution against the body."

Mr. Webb moved to refer said bill, and proposed amendment to the committee on the Judiciary with instructions to report a substitute making trespass upon timber an indictable offence punishable by fine and imprisonment; which was not agreed to.

Mr. Warren moved to lay the bill and proposed amendment on the table until the fourth day of July next, which was decided in the negative.

Mr. Cavarly moved to refer said bill and the proposed amendment to the committee on the Judiciary, which was decided in the negative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Boal, Cavarly, Crain, Edwards, Fithian, Forman, Harrison, McMillan, Morrison, Ruggles and Thompson—11.

Those voting in the negative, are,

Messrs. Allen, Catlin, Constable, Davis, Dougherty, Dunlap, Henry, Johnson, Judd, Killpatrick, Leviston, Markley, Matteson, McMurtry Minard, Nunnally, G. Smith, Warren, Waters, Webb, Wilbanks and Wynne—22.

Mr. Cavarly thereupon withdrew his proposed amendment.

Mr. Davis moved to amend said bill by striking out the preamble.

Mr. Catlin moved to recommit said bill and the proposed amendment to the same select committee, from which it was reported.

Mr. Ruggles moved to refer the bill and proposed amendment to the committee on the Penitentiary.

On motion of Mr. Dougherty,

The motion to refer to the committee on the Penitentiary was laid on the table.

Mr. Constable moved to lay the motion to re-commit to the same select committee on the table; which was agreed to.

Mr. Constable moved to lay the said bill and proposed amendment on the table; which was decided in the negative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Cavarly, Constable, Crain, Edwards, Fithian, Henry, Killpatrick, Markley, McMurtry, Morrison, Nunnally, Warren, Waters, Wilbanks and Wynne—16.

Those voting in the negative, are,

Messrs. Boal, Catlin, Davis, Dougherty, Dunlap, Forman, Harrison, Johnson, Judd, Leviston, Matteson, McMillan, Minard, Ruggles, Ryan, G. Smith, Thompson and Webb—18.

The question then being taken on the motion to strike out the preamble in said bill, it was decided in the affirmative.

Mr. Forman moved to amend said bill by adding the following as an additional section.

"Sec. — That no defendant shall be imprisoned at the suit of any plaintiff upon a *capias ad satisfaciendum*, unless the plaintiff shall secure the county from which such *capias ad satisfaciendum* shall have issued against all costs of such imprisonment.

On motion of Mr. Davis,

The proposed amendment was laid on the table.

Mr. Matteson moved to amend the first section by adding the following:

"Provided the complainant shall at all times pay the expenses incurred when the person committed shall be confined in the county jail as aforesaid, if the person so committed shall make it appear by his oath that he is unable to pay the costs himself."

Mr. Judd moved to amend the proposed amendment by striking out all after the word "provided," and inserting the following in lieu thereof.

"That the sheriff shall discharge any person from imprisonment under this act, unless the plaintiff in the action shall pay in advance the board of said defendant in all those cases, when the defendant shall file a full affidavit of his inability to pay his own board; which was agreed to, and the amendment as amended adopted."

Mr. Crain moved further to amend the bill by adding the following as an additional section:

"Sec. — Provided always that any person who may cut timber while traveling, for the sole purpose of making fire necessary for cooking, &c., shall not be liable to the provisions of this act."

Mr. Constable moved to amend the proposed amendment by inserting after the word "traveling" the words "or hunting."

Mr. Davis moved to lay the proposed amendment and the proposed amendment to the amendment on the table; which was decided in the negative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Buford, Davis, Judd, Leviston, McMillan, Minard and Ruggles.—7.

Those voting in the negative, are,

Messrs. Allen, Boal, Catlin, Cavarly, Constable, Crain, Dougherty, Dunlap, Edwards, Fithian, Forman, Harrison, Henry, Johnson, Killpatrick, Markley, Matteson, McMurtry, Morrison, Nunnally, Ryan, G. Smith, Thompson, Warren, Waters, Webb, Wilbanks and Wynne—28.

Mr. Davis moved to lay the proposed amendment to the amendment on the table; which was decided in the affirmative.

Mr. Constable moved to amend the proposed amendment by striking out all after the word "Sec." and inserting the following in lieu thereof.

"The provisions of this act and the act to which this is an amendment, shall not be so construed as to extend to any person or persons who shall cut any tree or trees for the purpose of fire-wood, or repairing any casual accident which may occur to any vehicle travelling, and upon the road."

Mr. Davis moved to lay the proposed amendment to the amendment on the table, which was decided in the affirmative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Catlin, Davis, Dougherty, Fithian, Forman, Harrison, Johnson, Judd, Killpatrick, Leviston, Matteson, McMillan, McMurtry, Minard, Ruggles, Ryan and G. Smith—19.

Those voting in the negative, are,

Messrs. Allen, Cavarly, Constable, Crain, Dunlap, Edwards, Henry, Markley, Morrison, Nunnally, Thompson, Warren, Waters, Webb, Wilbanks and Wynne.—16.

A message from the House of Representatives by Mr. McDonald, their Assistant Clerk.

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed a bill for "An act making certain appropriations to mechanics and others, for work done in the State House."

In the passage of which they ask the concurrence of the Senate.

Mr. Dougherty moved that the bill and amendment under consideration, be referred to the committee on the Judiciary.

Mr. Constable moved that the motion for reference be laid on the table; which was not agreed to.

The question was then taken on the motion to refer the bill and amendment to the committee on the Judiciary, and decided in the affirmative.

On motion of Mr. Nunnally,

Leave of absence was granted to Mr. Harris, until Wednesday next.

Mr. Edwards offered for adoption the following resolution, and the rule being dispensed with, the same was considered.

Resolved, That, until otherwise ordered, the use of the Senate Chamber be granted to the Mechanic's Union for the delivery of a course of scientific lectures on Tuesday evening of each week, after the adjournment of the Senate, to commence on to-morrow evening, 31st December.

On motion of Mr. Leviston,

Said resolution was amended by striking out all after the word "Resolved," and adding the following:

"That the Speaker of the Senate be authorized to permit the Senate Chamber to be used for any purpose that in his opinion is right, when not wanted for the use of the Senate."

The resolution as amended, was then adopted.

On motion,

The Senate adjourned.

TUESDAY, DECEMBER 31, 1844.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Dresser.

Mr. Buford presented the petition of Jos. Knox and others, citizens of Rock Island county, praying for the passage of a revenue law sufficient to pay interest on the State debt, &c.; which was read, and

On his further motion,

Said petition was referred to the committee on Finance.

A message from the House of Representatives, by Mr. Cloud, their Clerk:

Mr. Speaker: I am directed by the House of Representatives, to inform the Senate, that they have concurred with them in their amendment to the House bill for "An act to permanently fix the seat of justice of McHenry county."

The House of Representatives have passed bills of the following titles, viz:

"An act to amend an act directing the mode of electing electors for President and Vice President of the United States," approved Jan. 11, 1827.

"An act to restore the records of Franklin county."

"An act to change the name of the Bethel Society of the Methodist Episcopal church in Morgan county, to that of Hebron Society," and

"An act exempting certain articles from execution."

In the passage of which they ask the concurrence of the Senate.

The House have also adopted the following resolution.

Resolved by the House of Representatives of the State of Illinois, the Senate concurring herein, That our Senators be instructed and our Representatives in Congress be requested to use all proper means to procure the passage of a law making a further grant of land to this State for the purpose of aiding in the construction of the Illinois and Michigan Canal.

In the adoption of which they ask the concurrence of the Senate.

They have also adopted the following resolution.

Resolved, That the clerk be directed to return to the Senate the joint resolution of the General Assembly in relation to the West Point Academy agreeably to the request of the Senate.

Mr. Warren from the Committee on Military Affairs, to which was referred the communication from the Governor and accompanying documents in relation to the militia law of this State, reported a bill entitled "An act for the regulation and government of the militia of the State of Illinois;" which was read, and

Ordered to a second reading.

On motion of Mr. Matteson,

The rule was dispensed with, and said bill read a second time by its title.

Mr. Leviston moved that the bill be referred to the committee on Military Affairs with instructions.

"To amend that part of the bill which gives pay to the officers, forming the courts martial and courts of assessment, so that the members of said courts will not be directly or indirectly interested in assessing and

collecting fines; and, if it is necessary to pay the officers, to provide some way by which it shall be done, without being contingent on the assessment and collection of fines."

Mr. Fithian moved to amend the instructions by adding to them the following:

"And that said committee be further instructed to exempt from fine, in time of peace, all persons who are conscientiously scrupulous on the subject of bearing arms."

Mr. McMurtry moved that the amendment to the instructions be laid on the table; which was decided in the affirmative, by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Buford, Catlin, Davis, Dunlap, Forman, Johnson, Killpatrick, Matteson, McMillan, McMurtry, Morrison, Powers, Thompson, Warren, Webb, Wilbanks and Wynne—18.

Those voting in the negative, are,

Messrs. Boal, Cavarly, Constable, Crain, Dougherty, Edwards, Fithian, Harrison, Henry, Judd, Leviston, Markley, Nunnally, Ruggles, Ryan, G. Smith and Waters—17.

On motion,

The Senate adjourned, until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The question pending at the adjournment, being upon the motion to refer to the committee on Military Affairs, with instructions, the bill for "An act for the regulation and government of the militia of the State of Illinois," reported on this morning.

On motion of Mr. Davis,

The instructions were laid on the table.

Mr. Leviston withdrew the motion to refer to the committee on Military Affairs.

Mr. Dougherty moved to amend the first section of the bill by adding to it the following:

"And all persons who will make oath before a justice of the peace that he is conscientiously scrupulous of bearing arms and that he belongs to a christian church which supports the paupers belonging to their church."

Mr. Catlin moved that the amendment be laid on the table; which was decided in the affirmative, by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Buford, Catlin, Davis, Dunlap, Forman, Henry, Johnson, Killpatrick, Leviston, Matteson, McMillan, McMurtry, Minard, Morrison, Powers, Thompson, Warren, Wilbanks and Wynne—20.

Those voting in the negative, are,

Messrs. Boal, Cavarly, Constable, Crain, Dougherty, Edwards, Fithian, Harrison, Judd, Markley, Nunnally, Parker, Ruggles, Ryan, G. Smith, Waters and Webb—17.

A message from the Governor by Thompson Campbell, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication.

Mr. Fithian moved to amend the 3d section of the bill, under consideration by adding thereto the following:

“Provided, That any person, who is conscientiously and religiously opposed to bearing arms, and who shall furnish to the captain of the company in whose district he may reside, the receipt of the supervisor of his road district, certifying that said person has appropriated one day’s work on the public roads, in lieu of training duties for the year, shall not be fined.”

Mr. McMurtry moved to amend the amendment by striking out “one” and inserting “two.”

Mr. Warren moved that the amendment and the amendment to the amendment be laid on the table; which was decided in the negative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Buford, Catlin, Davis, Dunlap, Forman, Leviston, Matteson, McMurtry, Minard, Morrison, Powers, Vandeventer, Warren, Webb, Wilbanks and Wyane—17.

Those voting in the negative, are,

Messrs. Boal, Cavarly, Constable, Crain, Dougherty, Edwards, Fithian, Harrison, Henry, Johnson, Killpatrick, Markley, McMillan, Parker, Ruggles, Ryan, Thompson and Waters—18.

The question was then taken on the adoption of the amendment to the amendment, and decided in the affirmative.

Mr. Johnson moved to amend the amendment further by striking out all after the word “provided,” and adding the following:

“That every individual who may choose in time of peace to pay into the county treasury one dollar, on or before the——day of———shall be exempt from military duty for that particular year;” which was,

On motion of Mr. Constable,

Laid on the table.

Mr. Fithian moved that the amendment as amended be laid on the table until the 4th of July next.

Mr. Dougherty moved that the bill and amendment be laid on the table until the 4th of July next; which was decided in the negative, by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Boal, Crain, Dougherty, Edwards, Fithian, Henry, Johnson, Leviston, Markley, Nunnally, Parker, Powers, Ruggles, Ryan, G. Smith and Webb—16.

Those voting in the negative, are,

Messrs. Allen, Buford, Catlin, Cavarly, Constable, Davis, Dunlap, Forman, Harrison, Killpatrick, Matteson, McMillan, McMurtry, Minard, Morrison, Thompson, Vandeventer, Warren, Waters, Wilbanks and Wynne—21.

The question was then taken on laying the amendment on the table until the 4th of July next, and decided in the affirmative, by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Buford, Catlin, Cavarly, Davis, Dougherty, Dun-

lap, Fithian, Forman, Henry, Johnson, Leviston, McMurtry, Minard, Parker, Powers, Vandeventer, Warren, Wilbanks and Wynne—21.

Those voting in the negative, are,

Messrs. Constable, Crain, Edwards, Harrison, Judd, Killpatrick, Markley, Matteson, McMillan, Morrison, Nunnally, Ruggles, Ryan, G. Smith, Thompson, Waters and Webb—17.

Mr. Henry moved that the 3d section of the bill be amended by striking out "two dollars."

Mr. Constable moved that said amendment be laid on the table; which was decided as follows:

Those voting in the affirmative, are,

Messrs. Allen, Buford, Catlin, Constable, Davis, Dunlap, Forman, Leviston, Matteson, McMillan, McMurtry, Minard, Morrison, Powers, Thompson, Vandeventer, Warren, Wilbanks and Wynne—19.

Those voting in the negative, are,

• Messrs. Boal, Cavarly, Crain, Dougherty, Edwards, Fithian, Harrison, Henry, Johnson, Judd, Killpatrick, Markley, Nunnally, Parker, Ruggles, Ryan, G. Smith, Waters and Webb—19.

There being a tie, Mr. Speaker voted in the affirmative.

So the amendment was laid on the table.

Mr. Edwards moved to amend the 3d section by striking it out and adding to it the following:

"All persons opposed to the performance of military duty may be exempted by paying two dollars each year into the State Treasury, to be applied to the payment of the interest on the public debt."

Mr. Catlin moved to amend the amendment by adding to it the following:

"And that one thousand dollars are hereby appropriated for the payment of an agent to convey the same to Europe, to be paid to the holders of the State indebtedness resident there."

Mr. Davis moved that the amendment and the amendment to the amendment be laid on the table.

Mr. Edwards called for a division of the question.

The question was then taken on laying on the table the amendment to the amendment, and decided in the affirmative.

The question was then taken on laying on the table the amendment, and decided by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Buford, Catlin, Constable, Davis, Dunlap, Forman, Matteson, McMillan, McMurtry, Minard, Morrison, Powers, Thompson, Vandeventer, Warren, Waters, Wilbanks and Wynne—19.

Those voting in the negative, are,

Messrs. Buford, Cavarly, Crain, Dougherty, Edwards, Fithian, Harrison, Henry, Johnson, Judd, Killpatrick, Leviston, Markley, Nunnally, Parker, Ruggles, Ryan, G. Smith and Webb—19.

There being a tie, Mr. Speaker voted in the affirmative.

So the amendment was laid on the table.

Mr. Henry moved to strike out the word "two" in the 3d section, and insert "one" in lieu thereof; which was agreed to.

Mr. Dougherty moved to amend the first section of said bill by adding the following as a proviso.

“Provided, That the persons herein exempted from military duty shall each pay annually into the State Treasury, the sum of one dollar and twenty-five cents as an equivalent for such exemption.”

Mr. McMurtry moved to amend the proposed amendment by “excepting licensed ministers of the gospel.”

Mr. Davis moved to lay the amendment and the amendment to the amendment, as proposed, on the table; which was decided by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Buford, Catlin, Constable, Davis, Dunlap, Forman, Johnson, Matteson, McMillan, McMurtry, Minard, Morrison, Powers, Thompson, Vandeventer, Warren, Wilbanks and Wynne—19.

Those voting in the negative, are,

Messrs. Boal, Cavarly, Crain, Dougherty, Edwards, Fithian, Harrison, Henry, Judd, Killpatrick, Leviston, Markley, Nunnally, Parker, Ruggles, Ryan, G. Smith, Waters and Webb—19.

There being a tie, Mr. Speaker voted in the affirmative.

So the amendment, and the amendment to the amendment, were laid on the table.

Mr. Davis moved the previous question.

And on the question, “Shall the main question be now put?” It was decided by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Buford, Catlin, Constable, Davis, Dunlap, Forman, Leviston, Matteson, McMillan, McMurtry, Minard, Morrison, Powers, Thompson, Vandeventer, Warren, Wilbanks and Wynne—19.

Those voting in the negative, are,

Messrs. Boal, Cavarly, Crain, Dougherty, Edwards, Fithian, Harrison, Henry, Johnson, Judd, Killpatrick, Markley, Nunnally, Parker, Ruggles, Ryan, G. Smith, Waters and Webb—19.

There being a tie, Mr. Speaker voted in the affirmative.

So the main question was ordered to be put.

And on the question, “Shall the bill as amended be engrossed and read a third time?” It was decided by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Buford, Catlin, Constable, Davis, Dunlap, Forman, Killpatrick, Matteson, McMillan, McMurtry, Minard, Morrison, Thompson, Vandeventer, Warren, Waters, Wilbanks and Wynne—19.

Those voting in the negative, are,

Messrs. Boal, Cavarly, Crain, Dougherty, Edwards, Fithian, Harrison, Henry, Johnson, Judd, Leviston, Markley, Nunnally, Parker, Powers, Ruggles, Ryan, G. Smith and Webb—19.

There being a tie, Mr. Speaker voted in the affirmative.

So the bill was,

Ordered to be engrossed for a third reading.

On motion of Mr. Dougherty,

The rule of the Senate was dispensed with, and the bill from the House of Representatives entitled “An act making certain appropriations to mechanics and others, for work done in the State House,” was taken up, read a first time, and

Ordered to a second reading.

On motion of Mr. Cavarly,

The rule was further dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Killpatrick,

The rule was again dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

On motion of Mr. Allen,

Leave of absence was granted to Mr. Buford for two days,

Mr. Johnson moved that the Senate adjourn.

Mr. Davis moved to adjourn until Thursday next, which motion being first put, was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Constable, Davis, Dunlap, Forman, Harrison, Judd, Leviston, Ryan, Thompson and Webb—10.

Those voting in the negative, are,

Messrs. Allen, Boal, Buford, Catlin, Cavarly, Crain, Dougherty, Edwards, Fithian, Henry, Johnson, Killpatrick, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Nunnally, Parker, Powers, Ruggles, G. Smith, Vandeventer, Warren, Wilbanks and Wynne—27.

Mr. Forman moved a call of the Senate, and the call having proceeded some time, was

On motion of Mr. Parker,

Dispensed with, and the question then being on the motion to adjourn, Mr. Judd moved to adjourn until 3 o'clock P. M. January 1st, 1845.

Mr. Cavarly moved to strike out all after the word "adjourn."

Mr. Judd moved to lay the motion to strike out on the table; which was decided in the affirmative, by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Buford, Catlin, Constable, Crain, Davis, Dunlap, Edwards, Forman, Harrison, Henry, Judd, Killpatrick, Leviston, Matteson, McMurtry, Morrison, Parker, Ruggles, Ryan, Thompson, Warren, Waters, Webb and Wilbanks—25.

Those voting in the negative, are,

Messrs. Boal, Cavarly, Dougherty, Fithian, Johnson, Markley, McMillan, Minard, Nunnally, Powers, G. Smith, Vandeventer and Wynne—13.

The question then being taken on the motion to adjourn until 3 o'clock, January 1, 1845, it was decided in the negative, by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Buford, Constable, Davis, Dunlap, Forman, Harrison, Henry, Judd, Morrison, Thompson and Webb—11.

Those voting in the negative, are,

Messrs. Allen, Boal, Catlin, Cavarly, Crain, Dougherty, Edwards, Fithian, Johnson, Killpatrick, Leviston, Markley, Matteson, McMillan, McMurtry, Minard, Nunnally, Parker, Powers, Ruggles, Ryan, G. Smith, Vandeventer, Warren, Waters, Wilbanks and Wynne—27.

Mr. Judd moved a call of the Senate, and the call having proceeded for some time was,

On motion of Mr. Dougherty,

Dispensed with.

Mr. Ryan moved that the Senate adjourn until Thursday morning half past 10 o'clock.

Mr. Dougherty moved the previous question, and on the question, "Shall the main question be now put?" It was decided in the affirmative.

And the question then being taken on adjourning until half past 10 o'clock on Thursday next, it was decided in the affirmative, by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Buford, Constable, Davis, Dunlap, Fithian, Forman, Harrison, Henry, Judd, Killpatrick, Leviston, McMurtry, Morrison, Powers, Ruggles, Ryan, Thompson, Warren and Webb—20.

Those voting in the negative, are,

Messrs. Boal, Catlin, Cavarly, Crain, Dougherty, Edwards, Johnson, Markley, McMillan, Minard, Nunnally, Parker, G. Smith, Vandeventer, Wilbanks and Wynne—16.

THURSDAY, JANUARY 2, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Hale.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives, to inform the Senate that they have concurred with them in the adoption of a resolution, having for its object the appointment of a joint standing committee on Change of Names; and have appointed Messrs. Brinkley, Pratt, and Scott of De Witt, the committee on their part.

The House have also concurred with the Senate in the adoption of their preamble and resolution, instructing our Senators, and requesting our Representatives in Congress to aid in the passage of a law by Congress, allowing in certain cases, the relinquishment of the sixteenth sections, commonly known as the school sections.

The House have passed bills of the following titles:

"An act for the relief of John Walsh;"

"An act requiring county orders to be countersigned by county treasurers;"

"An act to amend 'An act for the speedy assignment of dower and partition of real estate;' approved February 6th, 1827;

"An act providing as to the time when acts passed by the Legislature shall be in force;" and

"An act to authorize James Lawrence and James B. Anderson to collect certain taxes."

In the passage of which they ask the concurrence of the Senate.

Mr. Leviston presented the petition of William H. Stickney, asking relief as administrator of Tyler D. Hewitt, deceased, and

On his motion,

The reading of the same was dispensed with, and said petition referred to the committee on Finance.

Mr. Markley presented the petition of sundry citizens of Fulton coun-

y, praying an increase of taxation, to pay the interest on the State debt; which was read, and

On his motion,

Said petition was referred to the committee on Finance.

Mr. Constable from the committee on the Judiciary, to which was referred the bill entitled "An act to prevent trespassing on real and personal property," reported the same back without amendment, and asked to be discharged from a further consideration of the subject; which was agreed to, and

On motion of Mr. McMurtry,

Said bill was laid on the table.

Mr. Cavarly from the same committee, to which was referred a petition signed by 166 citizens of Kane county, in relation to a bridge across Fox river, reported a bill entitled "An act to enable the inhabitants of Elgin precinct, in Kane county, to keep in repair a bridge across Fox river;" which was read, and

Ordered to a second reading.

Mr. Cavarly from the same committee, to which was referred a bill entitled "An act to amend an act to provide for the election of probate justices of the peace," reported the same back with an amendment; which was concurred in, and said bill as amended was,

Ordered to be engrossed and read a third time.

A message from the Council of Revision, by Mr. Hawley, their Secretary:

Mr. Speaker: I am directed to inform the Senate, that the Council of Revision have approved bills of the following titles to wit:

"An act to incorporate the University of St. Mary of the Lake;"

"An act to amend an act entitled an act to incorporate the Rush Medical College."

Mr. Cavarly from the committee on the Judiciary, to which was referred a bill entitled "An act for the relief of persons damaged by the flood of 1844," reported the same back without amendment, and asked to be discharged from a further consideration of the same; which was agreed to.

Mr. Dougherty moved to refer said bill to a select committee.

Mr. Worthington moved to amend the motion, so as to make it a motion to refer with the following instructions:

"To amend the bill whenever the word "release" occurs, by striking out and inserting "that payment may be deferred until the time for payment of taxes for the year 1845."

On motion of Mr. McMurtry,

Said bill and the proposed reference with instructions were laid on the table.

Mr. Webb from the same committee, to which was referred a bill from the House of Representatives entitled "An act to regulate mortgages on personal property," reported the same back with amendments.

Mr. Webb moved to amend the amendment of the committee by adding the following:

"Or if the amount claimed does not exceed \$100 00 before any justice of the peace;" which was agreed to, and the amendment as amended was concurred in; and the bill as amended,

Ordered to a third reading.

On motion of Mr. Matteson,

The order of business was suspended, and the communication from the Governor containing a letter from Baring, Brothers & Co., and Magniac, Jardine & Co. of London, some days since laid on the table was taken up, and

On his further motion,

Said communication and letter were laid on the table, and six hundred copies ordered to be printed for the use of the two Houses.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Crain from the select committee, to which was referred the petition of 75 voters of Washington county, in relation to Thomas A. Nicholas, reported a bill entitled "An act for the relief of Thomas A. Nicholas;" which was read, and

Ordered to a second reading.

Mr. McMurtry from the select committee, to which was referred the bill entitled "An act to alter and amend the law concerning interest on money and usury," with instructions, reported the same back with an amendment as a substitute for said bill.

Mr. Dougherty moved to amend the proposed amendment by striking out the words "1st of February," and insert "15th of May" in lieu thereof.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The Senate in pursuance of a previous order,

On motion of Mr. Cavarly,

Resolved itself into a committee of the whole, Mr. Dougherty in the chair, upon the resolution offered by Mr. Fithian, instructing the committee on the Judiciary to report a bill for the completion of the projected internal improvements, &c., After some time spent in the consideration of said resolution, the committee rose, reported, and asked and obtained leave to set again.

The question pending at the last adjournment, being upon the motion to amend the amendment reported by a select committee to the bill for "An act to alter and amend the law concerning interest on money and usury," by which amendment to the amendment it was proposed to strike out "1st of February" and insert "15th of May."

Mr. Ruggles called for a division of the question; and

On motion,

The Senate adjourned.

FRIDAY, JANUARY 3, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Richmond.

A message from the House of Representatives, by Mr. Cloud, their Clerk:

Mr. Speaker: I am directed by the House of Representatives, to inform the Senate that they have concurred with them in the passage of a bill for "An act to authorize the county of Kane to levy an extra tax for county purposes," as amended by them.

The House amends by striking out the figure "4" at the end of the last line of the first section, and inserting the figure "5," in which amendment they ask the concurrence of the Senate.

Mr. Buford presented the petition of sundry citizens of Rock Island county, praying the establishment of a ferry across the Mississippi river; which without reading was,

On his motion,

Referred to the committee on Internal Navigation.

Mr. Thompson presented the petition of sundry citizens of Peoria county, praying for the abrogation of the common law of England, &c., which was read, and

On his motion,

Referred to the committee on the Judiciary.

Mr. Worthington presented the petition of sundry citizens of township five south, five west, in Pike county, praying for the reduction of interest on school funds in said township; which was read, and

On his motion,

Referred to the committee on School Lands and Education.

Mr. Wynne from the committee on Enrolled Bills, reported as correctly enrolled "A preamble and resolutions concerning school sections when located in the prairie."

The question then recurring on the question pending at the time of adjournment on yesterday, which was upon the proposition to amend the amendment of the select committee, to the bill entitled "An act to alter and amend the law concerning interest on money and usury," by striking out "1st of February," and inserting "15th of May" in lieu thereof, and

Mr. Ruggles having called for a division of the question,

Mr. Constable moved to lay the amendment of the committee and the proposed amendment thereto, together with the call for a division of the question on the table.

Mr. Cavarly called for a division of the question, and the question being first taken upon laying on the table the amendment proposed by the committee, it was decided in the affirmative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Constable, Davis, Edwards, Fithian, Harrison, Henry, Judd, Killpatrick, Leviston, Markley, McMillan, McMurtry, Minard, Ruggles, Ryan, G. Smith, Thompson, Webb, Wilbanks and Worthington—22.

Those voting in the negative, are,

Messrs. Allen, Catlin, Cavarly, Crain, Dougherty, Dunlap, Forman, Harris, Johnson, Matteson, Morrison, Nunnally, Parker, J. Smith, Vandeventer, Warren, Waters and Wynne—18.

The bill was then read a third time.

Mr. McMurtry moved to reconsider the vote just taken on laying the amendment of the committee on the table; which was decided in the affirmative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Buford, Catlin, Cavarly, Crain, Dougherty, Dunlap, Forman, Harris, Johnson, Matteson, M'Millan, M'Murtry, Morrison, Nunnally, Parker, J. Smith, Vandeventer, Warren, Waters and Wynne—21.

Those voting in the negative, are,

Messrs. Boal, Constable, Davis, Edwards, Fithian, Harrison, Henry, Judd, Killpatrick, Leviston, Markley, Minard, Powers, Ruggles, Ryan, G. Smith, Thompson, Webb, Wilbanks and Worthington—20.

The question then being taken on laying on the table the amendment proposed by the committee, it was decided in the negative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Constable, Davis, Edwards, Fithian, Harrison, Henry, Judd, Killpatrick, Leviston, Markley, Minard, Powers, Ruggles, Ryan, G. Smith, Webb, Wilbanks and Worthington—20.

Those voting in negative, are,

Messrs. Allen, Catlin, Cavarly, Crain, Dougherty, Dunlap, Forman, Harris, Johnson, Matteson, McMillan, McMurtry, Morrison, Nunnally, Parker, J. Smith, Thompson, Vandeventer, Warren, Waters and Wynne—21.

The question then being taken on laying the proposed amendment to the amendment of the committee on the table; it was decided in the affirmative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Catlin, Cavarly, Crain, Dunlap, Forman, Harris, Johnson, Markley, Matteson, McMillan, McMurtry, Morrison, Nunnally, Parker, Ruggles, J. Smith, Vandeventer, Warren, Waters, Worthington and Wynne—22.

Those voting in the negative, are,

Messrs. Boal, Buford, Constable, Davis, Dougherty, Edwards, Fithian, Harrison, Henry, Judd, Killpatrick, Leviston, Minard, Powers, Ryan, G. Smith, Thompson, Webb and Wilbanks—19.

Mr. Ruggles moved to amend the proposed amendment by striking out "February," and inserting "March" in lieu thereof.

Mr. Webb called for a division of the question, and the question being first taken upon striking out the word "February;" it was decided in the affirmative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Catlin, Constable, Davis, Dougherty, Edwards, Fithian, Harrison, Johnson, Judd, Killpatrick, Leviston, Markley, Minard, Powers, Ruggles, Ryan, G. Smith, Thompson, Webb and Wilbanks—21.

Those voting in the negative, are,

Messrs. Boal, Buford, Cavarly, Crain, Dunlap, Forman, Harris, Matteson, McMillan, McMurtry, Morrison, Nunnally, Parker, J. Smith, Vandeventer, Warren, Waters, Worthington and Wynne—19.

The question then being taken on inserting the word "March" in lieu thereof; it was decided in the negative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Constable, Edwards, Harrison, Henry, Johnson, Killpatrick, Markley, Matteson, Powers, Ruggles, J. Smith, G. Smith, Thompson and Waters—15.

Those voting in the negative, are,

Messrs. Boal, Buford, Catlin, Cavarly, Crain, Davis, Dougherty, Dunlap, Fithian, Forman, Harris, Judd, Leviston, McMillan, McMurtry, Minard, Morrison, Nunnally, Parker, Ryan, Vandeventer, Warren, Webb, Wilbanks, Worthington and Wynne—26.

Mr. Webb moved that the vote last taken on inserting the word "March," be reconsidered.

Mr. Dougherty moved that the Senate adjourn to two o'clock, P. M.; which was not agreed to.

The question was then put on reconsidering the vote taken on inserting the word "March," and decided in the affirmative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Catlin, Constable, Matteson, Powers, Ruggles, Webb and Wilbanks—7.

Those voting in the negative, are,

Messrs. Allen, Boal, Buford, Cavarly, Crain, Davis, Dougherty, Dunlap, Edwards, Fithian, Forman, Harris, Harrison, Henry, Johnson, Judd, Killpatrick, Leviston, Markley, McMillan, McMurtry, Minard, Morrison, Nunnally, Parker, Ryan, J. Smith, G. Smith, Thompson, Vandeventer, Warren, Waters, Worthington and Wynne—34.

Mr. Crain moved the previous question; and on the question, "Shall the main question be now put?" It was decided in the affirmative.

The question was then taken on concurring with the select committee in their amendment as amended by the Senate, to the bill under consideration, and decided in the affirmative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Catlin, Cavarly, Crain, Dougherty, Dunlap, Forman, Harris, Johnson, Matteson, McMillan, McMurtry, Morrison, Nunnally, Parker, J. Smith, Thompson, Vandeventer, Warren, Waters and Wynne—21.

Those voting in the negative, are,

Messrs. Boal, Buford, Constable, Davis, Edwards, Fithian, Harrison, Henry, Judd, Killpatrick, Leviston, Markley, Minard, Powers, Ruggles, Ryan, G. Smith, Webb, Wilbanks and Worthington—20.

Ordered, That said bill as amended be re-engrossed, and put on its passage.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Warren offered for adoption the following resolution and the rule,

On motion of Mr. Vandeventer,

Having been dispensed with, the same was adopted:

Resolved by the Senate, That the Auditor of Public Accounts be requested to inform the Senate what amount would be added to the State revenue upon the condition that the Legislature at its present session should take the land tax from the counties.

Mr. Boal offered for adoption the following resolution, which lies one day on the table.

Resolved, That the committee on the Judiciary be instructed to enquire into the expediency of providing by law, for legalizing all records and writings authorized by law to be recorded, made by the deputies of county recorders, prior to the passage of the act approved January 24, 1843.—Also, into the propriety of allowing county recorders to appoint deputies in cases of necessary absence, and report by bill or otherwise.

Mr. Matteson offered for adoption the following preamble and resolution, which lie one day on the table:

Whereas: The State of Illinois has become the purchaser of all lands, upon which the taxes have not been paid by individuals since the year 1838; and whereas, great injustice is done the State by being obliged by law to hold the said lands until 1847, thereby laying out of a large amount of money that should be placed in the Treasury of the State to liquidate our honest debts as far as possible, which are now due and pressing upon us; and whereas, all the counties in the State have an interest directly in an early sale of lands heretofore sold to the State for taxes;

Therefore,

Resolved, That the Committee on Finance be instructed to report a bill directing the Auditor of Public Accounts to sell all lands heretofore purchased by the State for taxes to the highest bidder, commencing on the 1st day of October, 1845, continuing the sale for two weeks, unless the same may be sooner sold; after which the said lots and lands to remain subject to entry as is now provided by law. And that the Auditor of Public Accounts shall sell all lands hereafter sold to the State for taxes, every two years from the 1st day of September next.

Mr. Edwards offered for adoption the following resolution; which lies one day on the table:

Resolved, That the committee on Finance be instructed to enquire into the expediency of so amending the revenue laws as to provide,

1st. A day certain for the sale of lands and lots for taxes.

2d. How the sale and redemption of lands advertised as the undivided part of a tract or tracts of land.

3d. When a tract has been bid off in the name of the State, and exposed to sale for subsequent taxes, to require of the purchaser the whole amount due.

4th. To require of the Clerk to enter in the sale book the name of the owner or patentee of each tract, and making it the duty in all cases of the purchaser to give notice to the person in whose name the land purchased by him was listed, if such owner resides within the county.

5th. Making it the duty of the collector to discharge the duties of assessor and treasurer; requiring him to assess during the time he is collecting for the succeeding year.

6th. When any town or part thereof is not listed by the owner, to require of the assessor to assess the same by the description, town or block as the case may be; and if after said assessment, any individual should wish to pay on any portion of said town or block to allow him to do so, by paying in proportion to the amount of his interest.

On motion of Mr. Worthington,

The order of business was suspended, and the Senate resolved itself into a committee of the whole, Mr. Dougherty in the chair, again to consider

the resolution offered by Mr. Fithian, in relation to the incorporation of a company to complete internal improvements, &c.,

After some time the committee rose, reported progress, and obtained leave to set again.

Mr. Killpatrick, on leave given, introduced a bill entitled "An act in relation to the distribution of the laws;" which was read, and

Ordered to a second reading.

Mr. Markley, on leave, introduced a bill for "An act for the completion of the Illinois and Michigan Canal."

On motion,

The Senate adjourned.

SATURDAY, JANUARY, 4, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Bergen.

A message from the House of Representatives by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed bills of the following titles:

"An act to incorporate the Chicago and Rock river plank road company;"

"An to locate a State road therein named;" and

"An act to authorize Henry Dodd and George Early, to build a dam across Fox river in McHenry county."

In the passage of said bills they ask the concurrence of the Senate.

Mr. Powers presented the petition of citizens of Macon county, in relation to the debt alleged to be due her from that portion of Moultrie county, taken from Macon; which, without reading, was,

On his motion,

Referred to the committee on Counties.

Mr. Constable from the committee on the Judiciary, reported a bill for "An act to enable former and late collectors of the revenue, in the several counties of this State to collect any taxes remaining due and unpaid;" which was read, and

Ordered to a second reading.

Mr. Vandevanter offered for adoption the following resolution:

Resolved, by the Senate the House of Representatives concurring herein, That no new business be received after the 15th inst., and that this General Assembly adjourn *sine die* on Monday the 10th day of February next.

Also, the following:

Resolved by the Senate, That the standing hour of adjournment shall hereafter be half past nine o'clock, A. M., of each day; which resolutions respectively lie one day on the table.

Mr. Nunnally offered for adoption the following resolution; which lies one day on the table:

Resolved by the Senate, That the committee on the Judiciary be requested to inquire into the expediency of allowing a change of venue in criminal cases, before justices of the peace, and that they report by bill or otherwise.

On motion of Mr. Killpatrick,

The order of business was suspended, and the bill some days since laid on the table, entitled "An act for the relief of persons damaged by the flood of 1844," was taken up for consideration.

And the question recurring on the adoption of the amendment of Mr. Worthington, proposing that payment of taxes be deferred until 1845.

Mr. Davis moved to lay said bill and the proposed amendment on the table until the 4th day of July next; which was decided in the negative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Buford, Cavarly, Davis, Edwards, Harris, Harrison, Judd, Leviston, Markley, McMillan, McMurtry, Nunnally, Powers, Vandeventer, Webb and Wilbanks—16.

Those voting in the negative, are,

Messrs. Allen, Boal, Catlin, Constable, Crain, Dougherty, Dunlap, Fithian, Forman, Henry, Johnson, Killpatrick, Matteson, Minard, Morrison, Parker, Ruggles, J. Smith, G. Smith, Thompson, Warren, Waters, Worthington and Wynne—24.

Mr. Catlin moved to refer said bill and the proposed amendment to a select committee of five.

Mr. Worthington moved to amend the motion so as to make it a motion to refer with the following instructions:

"That the county commissioners' courts are hereby authorized to reduce the valuation of the assessors of the several counties in this State, in cases coming under the provisions of this act, whenever the same is in their opinion greater than the present value.

Mr. Davis moved to amend the proposed instructions by adding the following:

"To provide also for those persons who have lost by the late high waters, personal property, wood, &c., owning no real estate or taxable property;" which was not agreed to.

The question was then taken on the adoption of the instructions proposed by Mr. Worthington; it was decided in the negative.

The question then being taken on the motion to refer said bill to a select committee, it was decided in the affirmative.

Ordered, That Messrs. Catlin, Morrison, G. Smith, Dougherty and Worthington be that committee.

The bill introduced by Mr. Markley on yesterday, for "An act for the completion of the Illinois and Michigan Canal," was read, and

Ordered to a second reading.

On motion of Mr. Markley,

The rule was dispensed with, and said bill read a second time by its title, and

Referred to a committee of the whole Senate.

Mr. Buford, on leave, introduced a bill for "An act to amend, and in addition to 'An act to incorporate the town of Rock Island, in Rock Island county,'" which was read, and

Ordered to a second reading.

On motion of Mr. Buford,

The rule was dispensed with, and said bill read a second time by its title, and

Referred to the committee on the Judiciary.

Mr. Johnson, on leave, introduced a bill for "An act to reduce the fees of public officers."

On motion,
The Senate adjourned.

MONDAY JANUARY 6, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Dresser.

Mr. Fithian presented the petition of the citizens of township 18 north, range 11 east, in Champaign county, praying for the passage of a special act authorising the sale of the school lands in said township; which was read, and on his motion,

Referred to the committee on School Lands and Education.

Mr. Dougherty presented the remonstrance of sundry citizens of Union county against the location of a certain State road therein named, and on his motion,

The reading of the same was dispensed with, and said remonstrance referred to the same select committee to which a petition was referred on the same subject.

Mr. Powers presented the petition of sundry citizens of Macon county, in relation to debts alleged to be due from Piatt and Moultrie county; which without reading, was on his motion,

Referred to the committee on Counties,

Mr. Buford presented the petition of sundry citizens of Lee county, praying the passage of a law authorising the building a bridge and mill dam across Rock river; which was read, and on his motion,

Referred to the committee on Internal Navigation.

Mr. Webb presented the petition of sundry citizens of this State, praying the General Assembly to memorialise Congress on the subject of prospective pre-emptions; which without reading, was on his motion,

Referred to the committee on Petitions.

Mr. Cavarly from the committee on the Judiciary, to which was referred the bill entitled "An act to amend, and in addition to an act to incorporate the town of Rock Island in Rock Island county," reported the same back with several amendments; which were concurred in, and said bill as amended,

Ordered to be engrossed for a third reading.

Mr. Judd from the same committee, to which was referred a resolution in relation to the taxing of lands sold on a credit by the State, reported a bill entitled "An act to amend the several laws allowing Illinois and Michigan canal lands to be taxed and sold for taxes;" which was read, and

Ordered to a second reading.

A message from the House of Representatives by Mr. Cloud their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that in pursuance of the recommendation of a joint select committee of the two Houses, appointed to report a memorial to Congress, praying relief to the sufferers by the high floods on the Mississippi and Illinois rivers, have adopted the accompanying memorial upon that subject, in the adoption of which they ask the concurrence of the Senate.

Mr. Matteson presented the petition of William A. Kingman, of Du Page county, asking a change of his name to William A. Kenyon; which was read, and

On motion of Mr. Matteson,

Referred to the joint committee on Change of Names.

Mr. Cavarly from the committee on the Judiciary, which had been instructed by resolution to make inquiry as to the constitutionality, &c., of a poll tax, reported the resolution back to the Senate and the committee were discharged from its further consideration, and the same was

On motion of Mr. Killpatrick,

Referred to the committee on Finance.

Mr. Speaker laid before the Senate a communication from the Governor, made in answer to a resolution calling for information in relation to commissioners sent to Europe to negotiate the canal loan; which was read, and

On motion of Mr. G. Smith,

Laid on the table.

Mr. Speaker laid before the Senate a communication from the Auditor of Public Accounts, made in compliance with a resolution of the Senate, asking information concerning the sums paid to agents for selecting lands, granted by Congress to this State, &c., which communication was read, and

On motion of Mr. Killpatrick,

Referred to the committee on Retrenchment.

Mr. Speaker also laid before the Senate a communication from the Chief Justice and associate Justices of the Supreme Court, in reply to a joint resolution requesting them to relinquish to the State twenty-five per cent. of their salaries; which was read.

Mr. G. Smith moved to lay the same on the table.

Mr. Davis moved to lay said communication on the table and that the same be printed for the use of the two Houses.

Mr. Cavarly called for a division of the question, and the question being first taken on laying said communication on the table, it was decided in the affirmative.

Mr. Judd on leave introduced a bill entitled "An act to establish the Cook county court;" which was read, and

Ordered to a second reading.

On motion of Mr. Judd,

The rule was dispensed with, said bill read a second time by its title, and

Referred to the committee on the Judiciary.

Mr. Vandeventer on leave introduced a bill entitled "An act to amend an act entitled an act concerning the public revenue, approved February 26, 1839, and an act supplemental to said act approved March 1, 1829;" which was read, and

Ordered to a second reading.

The bill introduced by Mr. Johnson on last Saturday, entitled "An act to reduce the fees of public officers;"

On motion of Mr. Davis,

Was read the first time by its title, and

Ordered to a second reading.

On motion of Mr. Killpatrick,

The vote just taken upon laying the communication received from the Chief Justice and associate Justices of the Supreme court on the table, was reconsidered; and the question then being taken on laying the same on the table, it was decided in the negative.

Mr. Davis moved to amend the motion so as to make it a motion that 600 copies be printed, and the question being taken on the printing of 600 copies, it was decided in the negative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Buford, Davis, Dunlap, Fithian, Forman, Harrison, Johnson, Judd, Killpatrick, McMurtry, Minard, Nunnally, Parker, Ryan, Webb, Wilbanks and Worthington—18.

Those voting in the negative, are,

Messrs. Boal, Catlin, Cavarly, Constable, Crain, Dougherty, Edwards, Henry, Lewiston, Markley, Matteson, McMillan, Morrison, Powers, Ruggles, J. Smith, G. Smith, Thompson, Vandeventer, Warren and Waters—21.

Mr. Dougherty moved that said communication be referred to the committee on the Judiciary.

On motion of Mr. Webb,

Said communication was laid on the table.

Mr. Judd, on leave, introduced a bill for "An act authorising certain persons holding property in trust for the use of the Catholic church, and societies thereof, in the State of Illinois, to convey the same, was read,

Ordered to a second reading, and

On the further motion of Mr. Judd, read a second time by its title, the rule having been dispensed with, and

Referred to the committee on the Judiciary.

Mr. Davis, on leave, introduced a bill for "An act authorising the appointment of commissioners in other States;" which was read, and

Ordered to a second reading.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Minard, from the committee on Finance, on leave given, reported a bill entitled "An act to save a portion of the revenue from being lost;" which was read, and

Ordered to a second reading.

Mr. Catlin, on leave, presented the petition of sundry citizens of St. Clair county, praying for relief of persons residing on public roads, &c.; which without reading, was on his motion,

Referred to the committee on the Judiciary.

The orders of the day were taken up.

The bills entitled "An act for the relief of certain settlers on State lands."

"An act authorising administrators and executors from other States to prosecute suits in this State," and

"An act to amend an act to provide for the election of Probate Justices of the Peace;" were severally read a third time and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bills.

The bill entitled "An act concerning corporations," was read a third time.

Mr. Catlin moved to amend said bill by adding the following as a proviso to the 4th section.

"Provided further, That at any election held in and for any county in this State in which there is an incorporated town, the electors of said county may vote for or against the repeal of said incorporation, and if a majority of all the votes given are in favor of repealing said charter, it is thereby repealed; and the clerks of the county commissioner's courts shall give notice thereof to the President and trustees of said corporation, and from and after the notice given as aforesaid, the said corporation shall cease to exist as such."

On motion of Mr. Judd,

Said amendment was laid on the table.

And on the question, "Shall the bill pass?" It was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Catlin, Cavarly, Crain, Davis, Dougherty, Fithian, Forman, Judd, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Nunnally, Powers, Ryan, J. Smith, Vandeventer and Warren—22.

Those voting in the negative, are,

Messrs. Allen, Constable, Dunlap, Edwards, Harrison, Henry, Johnson, Killpatrick, Parker, Ruggles, G. Smith, Thompson, Waters, Webb, Wilbanks and Worthington—16.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

The bills entitled "An act to increase the jurisdiction of Justices of the Peace in certain cases."

"An act to authorise Rice Fay, to build a dam across Fox River."

"An act to enable the inhabitants of Elgin precinct in Kane county to keep in repair a bridge across Fox river."

"An act for the relief of Thomas A. Nicholas," and

"An act to enable former and late collectors of the revenue in the several counties of this State to collect any taxes remaining due and unpaid," were severally read a second time, and

Ordered to be engrossed and read a third time.

The bill entitled "An act in relation to the distribution of the laws," was read a second time, and

On motion of Mr. McMurtry,

Referred to the committee on Public Accounts and Expenditures.

Bills from the House of Representatives of the following titles:

"An act to remove the seat of justice of Johnson county," and

"An act to regulate mortgages on personal property," the latter as amended by the Senate, were severally read a third time and passed.

Ordered, That the titles thereof be respectively as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bills, and ask their concurrence in the amendments of the Senate.

On motion of Mr. Killpatrick,

The Senate resolved itself into a Committee of the Whole, Mr. Dougherty in the chair, further to consider the resolution offered by Mr. Fithian, proposing to instruct the committee on the Judiciary to report a certain bill having for its object the completion of Internal Improvements and the payment of the State debt.

The committee rose, after some time, and, by their chairman, reported progress and obtained leave to sit again.

On motion of Mr. Henry,

The order of business was suspended, and the bill for "An act to reduce the fees of public officers," was taken up.

On motion of Mr. Henry,

The rule was dispensed with, and said bill read a second time by its title, and

Referred to a Select committee of five.

Ordered, That Messrs. Henry, Dougherty, McMurtry, Judd and Constable be that committee.

On motion,

The Senate adjourned.

TUESDAY, JANUARY 7, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Hale.

A message from the Governor, by Thompson Campbell, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing.

Mr. Markley presented the petition of sundry citizens, residing in a gore of land between the county of Fulton and Peoria, praying to be attached to the county of Fulton; which was read, and

On his motion,

Referred to a select committee.

Ordered, That Messrs. Markley, Thompson and McMurtry be that committee.

A message from the House of Representatives, by Mr. Cloud, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with them in the passage of a bill for "An act to provide for the representation of certain counties therein named" as amended by them; they amend by adding to the first section the following:

"And that Clay county elect one Representative."

Add the following as section four:

"That the counties of Effingham and Fayette shall vote together for two Representatives; one of whom shall be taken from the county of Effingham, and the other from the county of Fayette."

In which amendments they ask the concurrence of the Senate.

The House of Representatives have passed a bill for "An act for the benefit of the heirs of John M. Robinson, deceased.

In the passage of which they ask the concurrence of the Senate.

Mr. Thompson, from the committee on School Lands and Education, presented the memorial of a committee of the State School Convention, held at Peoria in October last, upon the subject of common school education, and

On his motion,

The reading of the same was dispensed with.

Mr. Constable moved to lay said memorial on the table, and that 10,000 copies be printed for the use of the two Houses.

Mr. McMurtry moved that 5000 copies be printed.

And the question being first taken on the printing of 10,000 copies, it was decided in the negative.

The question then being taken on the printing of 5000 copies of said memorial, it was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Matteson presented the petition of sundry citizens of Winnebago county, asking the privilege of building a mill-dam across Rock river; which was read, and

On his motion,

Referred to the committee on Incorporations.

Mr. Ruggles presented a remonstrance from sundry citizens of Winnebago county, upon the same subject; which without reading was,

On his motion,

Referred to the same committee.

Mr. Speaker laid before the Senate a communication from the Governor in reply to a joint resolution of the two Houses, requesting him to relinquish twenty-five per cent. of his salary; which was read.

Mr. G. Smith moved to lay said communication on the table.

Mr. Worthington moved to lay said communication on the table, and that the same be printed for the use of the two Houses.

Mr. Cavarly called for a division of the question.

And the question being first taken on laying said communication on the table, it was decided in the affirmative.

Mr. Parker, from the committee on Enrolled Bills, reported as correctly enrolled "An act to authorize the school commissioner to distribute school funds, and that the same has this day been laid before the Council of Revision.

Mr. Constable, from the select committee, to which was referred the preamble and resolution in relation to the recent contract for binding for the present session of the General Assembly of this State, made a report thereon accompanied by the following resolutions, to wit:

Resolved by the General Assembly of the State of Illinois, That the contract entered into by the Secretary of State with Walters & Weber, on the 26th day of November, 1844, for the folding, stitching and binding of this General Assembly was not in accordance with law, and is hereby declared to be null, void, and not obligatory upon this State.

Resolved, That the Secretary of State be instructed, after giving four weeks notice thereof, to receive proposals for doing said work as directed

in the act approved February 23, 1843; and at the expiration of said time for so receiving proposals, he let the said work to the lowest responsible bidder therefor, as is provided for in said act; which was read, and the question being taken on the adoption of said resolutions, it was decided in the affirmative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Buford, Catlin, Cavarly, Constable, Crain, Davis, Dunlap, Edwards, Fithian, Forman, Harrison, Henry, Johnson, Judd, Killpatrick, Leviston, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Nunnally, Parker, Powers, Ruggles, J. Smith, G. Smith, Thompson, Vandeventer, Warren, Waters, Webb, Wilbanks, Worthington and Wynne—38.

Mr. Ryan voting in the negative—1.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Warren offered for adoption the following resolution; which was read as follows:

Resolved by the Senate, the House of Representatives concurring herein, That his Excellency, the Governor, be requested to cause a national salute of 26 rounds of the cannon, one for each State, and one round for the lone star of Texas; also, one gun for each of the territories of Florida, Wisconsin and Iowa; also, one for Oregon, to be preformed on the 8th instant, in the public square of this City, in commemoration of the victory gained near the city of New Orleans by the American arms, under the immortal Jackson on the 8th of January, 1815.

On motion of Mr. Warren,

The rule was dispensed with, and said resolution taken up for consideration.

Mr. Henry moved to amend by striking out all after the word State; which was not agreed to.

Mr. Constable moved to amend said resolution so as to include "one gun for each of the South American republics."

Mr. Davis moved to lay the proposed amendment on the table; which was decided in the affirmative.

And the question being taken on the adoption of the resolution, it was decided in the affirmative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Buford, Catlin, Cavarly, Constable, Crain, Davis, Dunlap, Forman, Johnson, Judd, Leviston, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Nunnally, Parker, Powers, Ryan, J. Smith, Thompson, Vandeventer, Warren, Waters, Wilbanks and Wynne—29.

Those voting in the negative, are,

Messrs. Boal, Edwards, Fithian, Harrison, Henry, Killpatrick, Ruggles, G. Smith, Webb and Worthington—10.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Matteson, on leave, introduced a bill for "An act to amend an act, entitled 'An act to improve the navigation of the rapids in Rock river at Rockford, in the county of Winnebago, and to incorporate the Rockford

Hydraulic and Manufacturing Company,' approved February 28, 1843; which was read, and

Ordered to a second reading.

On motion of Mr. Matteson,

The rule was dispensed with, and said bill read a second time by its title, and referred to the committee on Incorporations.

Mr. Warren, on leave, introduced a bill for "An act for the relief of certain persons therein named;" which was read, and

Ordered to a second reading.

On motion of Mr. Warren,

The rule was dispensed with, and said bill read a second time by its title, and referred to the committee on the Judiciary.

Mr. Leviston, on leave, introduced a bill for "An act for the relief of the inhabitants of township nine south, in ranges seven and eight, in Galatin county;" which was read, and

Ordered to a second reading.

On motion of Mr. Leviston,

The rule was dispensed with, and said bill read a second time by its title, and referred to the committee on Salines and Saline Lands.

On motion of Mr. Webb,

The order of business was suspended, and the bill from the House of Representatives for "An act for the relief of the heirs of John M. Robinson, deceased;" was taken up, read, and

Ordered to a second reading.

On motion of Mr. Webb,

The rule was dispensed with, and said bill read a second time by its title, and

Ordered to a second reading, and

On motion,

The rule was dispensed with, and the bill read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

The orders of the day were taken up:

Engrossed bills of the following titles:

"An act to increase the jurisdiction of justices of the peace in certain cases;"

"An act to enable former and late collectors of the revenue in the several counties of this State, to collect any taxes remaining due and unpaid;"

"An act for the relief of Thomas A. Nicholas;"

"An act to authorize Rice Fay to build a mill dam across Fox river;"

"An act to amend, and in addition to 'An act to incorporate the town of Rock Island, in Rock Island county;" and

"An act to enable the inhabitants of Elgin precinct in Kane county, to keep in repair a bridge across Fox river;"

Were severally read a third time and passed.

Ordered, That the titles thereof be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bills, and ask their concurrence therein.

The bill entitled "An act to alter and amend the law concerning interest on money and usury;" was read a third time.

Mr. Parker moved to refer said bill to a select committee of five.

Mr. Johnson moved to refer to a select committee of seven.

Mr. Matteson moved to amend the motion so as to make it a motion to refer with the following instructions:

"That ten per cent. may be taken by special contract for cash or money actually loaned, and the person so loaning shall not be subject to the penalties of this act."

Mr. Warren moved to lay the proposed instructions on the table; which was decided in the affirmative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Catlin, Cavarly, Constable, Crain, Dunlap, Edwards, Fithian, Forman, Harris, Harrison, Johnson, Markley, McMillan, McMurtry, Morrison, Nunnally, Parker, Ruggles, J. Smith, Thompson, Vandeventer, Warren, Waters, Webb, Wilbanks and Wynne—27.

Those voting in the negative, are,

Messrs. Boal, Buford, Davis, Henry, Judd, Killpatrick, Matteson, Minard, Powers, Ryan, G. Smith and Worthington—12.

Mr. Nunnally moved to amend the motion so as to make it a motion to refer to said select committee of seven, with instructions "to amend the bill in respect to the loaning of school money, so as to allow school commissioners no discretionary power to loan money for more or less than eight per cent. per annum;" and the question being taken thereon, it was decided in the affirmative.

Ordered, That Messrs. Parker, McMurtry, Cavarly, Thompson, Nunnally, Johnson and Wynne be that committee.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Engrossed bill for "An act for the regulation and government of the Militia of the State of Illinois," was read a third time; and

On the question: "Shall the bill pass?" It was decided by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Catlin, Davis, Dunlap, Forman, Harris, Harrison, Judd, Matteson, McMillan, McMurtry, Morrison, Parker, Thompson, Vandeventer, Warren, Waters, Wilbanks and Worthington—19.

Those voting in the negative, are,

Messrs. Boal, Buford, Cavarly, Constable, Crain, Edwards, Fithian, Henry, Johnson, Killpatrick, Leviston, Markley, Minard, Nunnally, Powers, Ruggles, Ryan, J. Smith and G. Smith—19.

There being a tie, Mr. Speaker voted in the affirmative.

So the bill was passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

The bill entitled "An act to amend the several laws allowing Illinois and Michigan Canal lands to be taxed and sold for taxes, was read a second time, and

Ordered to be engrossed for a third reading.

The bill entitled "An act to amend an act, entitled an act to amend an act entitled, 'An act concerning the public revenue, approved February 26, 1839;'" and an act supplemental to said act, approved March 1st, 1839; was read a second time, and

On motion of Mr. Vandeventer,

Referred to the committee on Finance.

The bill entitled "An act authorizing the appointment of commissioners in other States," was read a second time, and

On motion of Mr. Parker,

Referred to the committee on the Judiciary.

The bill entitled "An act to save a portion of the revenue from being lost," was read a second time, and

On motion of Mr. Ruggles,

Referred to the committee on Finance.

The bill from the House of Representatives entitled "An act to repeal an act to enable the inhabitants of school townships in Hancock county to purchase the school lands therein, and for other purposes," was read a second time, and

On motion of Mr. Davis,

Referred to the committee on the Judiciary.

A message from the House of Representatives, by Mr. Cloud, their Clerk:

Mr. Speaker: I am directed by the House of Representatives, to inform the Senate that they have concurred with them in the adoption of their resolution, requesting the Governor to fire a national salute on the 8th of January inst.

The bill for "An act to authorize the county of Kane to levy an extra tax for county purposes," as amended by the House of Representatives, was taken up, and the amendment concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

The message from the House of Representatives, in which was returned to the Senate the preamble and resolutions, on the subject of the Military Academy at West Point, concurred in by the Senate some days since, was taken up.

On motion of Mr. Forman,

The votes taken upon concurring with the House of Representatives in the adoption of said preamble and resolutions were re-considered.

Mr. Buford moved that said preamble be stricken out; which was decided in the affirmative.

Mr. Dougherty moved that the resolutions be laid on the table, which was decided in the negative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Buford, Cavarly, Davis, Dougherty, Edwards, Fithian, Harrison, Henry, Johnson, Killpatrick, McMurtry, Powers, Ryan, Thompson, Worthington and Wynne—18.

Those voting in the negative, are,

Messrs. Catlin, Crain, Dunlap, Forman, Harris, Judd, Leviston, Markley, McMillan, Morrison, Nunnally, Parker, Ruggles, J. Smith, G. Smith, Vandeventer, Warren, Waters and Wilbanks—19.

On motion of Mr. Ruggles,

Said resolutions were referred to the committee on Military Affairs.

The bills from the House of Representatives entitled "An act to amend an act exempting certain articles from execution;"

"An act to change the name of the Bethel Society, of the Methodist Episcopal Church in Morgan county, to that of Hebron Society;"

"An act providing as to the time when acts passed by the Legislature shall be in force;"

"An act to amend an act for the speedy assignment of dower, and partition of real estate," approved February 6th, 1827;

"An act requiring county orders to be countersigned by county Treasurers;"

"An act making appropriations for the years 1844 and '45;"

"An act to authorize James Lawrence and James B. Anderson to collect certain taxes;" and

"An act to amend an act directing the mode of electing electors for President and Vice President of the United States," approved January 11th, 1827; were severally read a first time, and

Ordered to a second reading.

The bill from the House of Representatives entitled "An act to restore the records of Franklin county;" was read, and

Ordered to second reading.

On motion of Mr. Allen,

The rule was dispensed with, said bill read a second time by its title, and referred to the committee on the Judiciary.

The bill from the House of Representatives entitled "An act for the relief of John Walsh," was read, and

Ordered to a second reading.

On motion of Mr. Judd,

The rule was dispensed with, said bill read a second time by its title, and referred to the committee on the Judiciary.

Mr. Buford moved that the Senate adjourn until Thursday next; which was decided in the affirmative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Buford, Constable, Crain, Davis, Dunlap, Edwards, Harris, Harrison, Henry, Judd, Killpatrick, Leviston, McMillan, McMurtry, Morrison, Ryan, Thompson, Warren, Waters, Wilbanks, Worthington and Wynne—23.

Those voting in the negative, are,

Messrs. Boal, Catlin, Cavarly, Dougherty, Fithian, Johnson, Markley, Matteson, Minard, Nunnally, Parker, Powers, Ruggles, J. Smith, G. Smith and Vandeventer—16.

THURSDAY, JANUARY 9, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Richmond.

A message from the House of Representatives by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with them in the adoption of their

resolutions, rescinding the contract for the public binding made by the Secretary of State with Walters and Weber.

Mr. Warren presented the petition of sundry citizens of Moultrie county, in relation to the location of the county seat of said county; which without reading was, on his motion referred to a select committee.

Ordered, That Messrs. Warren, Powers and Parker be that committee.

Mr. Markley presented the petition of sundry citizens of Fulton county, praying certain amendments to the law, prohibiting trespassing by cutting timber, &c.; which was read, and on his motion referred to the committee on the Judiciary.

Mr. Dougherty presented the petition of sundry citizens of the territory of Marquette, praying the repeal of all laws providing for the removal of the county seat of Adams county, and creating the county of Marquette; which was read.

Mr. Dougherty moved to refer the same to a select committee of five.

Mr. Killpatrick moved to refer said petition to the committee on Counties; which was not agreed to.

And the question then being on referring said petition to a select committee, it was decided in the affirmative.

Ordered, That Messrs. Dougherty, J. Smith, Judd, Parker and Dunlap be that committee.

Mr. Buford presented the memorial of John Wilson, against the granting of a ferry at the town of Rock Island; which without reading was, on his motion, referred to the committee on Internal Navigation.

Mr. Cavarly presented the petition of sundry citizens of Greene county, praying the location of a State road in said county; which without reading was on his motion, referred to the committee on Public Roads.

Mr. Cavarly presented the petition of sundry citizens of Carrollton, praying that the act of incorporation of said town be abolished; which was read, and on his motion, referred to the committee on Finance.

Mr. Cavarly from the committee on the Judiciary, to which was referred the petitions in relation to the county of Marquette, reported the same back, and were discharged from a further consideration of the same.

On motion of Mr. Cavarly,

Said petitions were referred to the same select committee, to which were referred petitions on the same subject.

Mr. Cavarly from the same committee, to which was referred the bill entitled "An act for the relief of certain persons therein named," reported the same back without amendment, and recommended its passage.

Ordered to be engrossed for a third reading.

Mr. McMurtry from the committee on Counties, to which was referred certain petitions in relation to the county of Marquette, reported the same back, and were discharged from their further consideration.

On motion of Mr. McMurtry,

Said petitions were referred to the select committee, having in charge other petitions on the same subject.

Mr. Cavarly from the committee on the Judiciary, to which was referred a bill for "An act authorizing certain persons holding property in trust for the use of the Catholic Church, and societies thereof in the State

of Illinois, to convey the same," reported the same back without amendment.

Ordered, That said bill be engrossed for a third reading.

Mr. Cavarly from the same committee, to which was referred a bill for "An act authorizing the appointment of commissioners in other States," reported the same back without amendment.

Ordered, That said bill be engrossed for a third reading.

Mr. Cavarly from the same committee, to which was referred a bill for "An act to establish the Cook county court," reported the same back to the Senate with amendments.

The amendments of the committee to the second section, and to the ninth section, in respect to the salary of the judge, filling the blank with "eight hundred dollars," were concurred in.

Mr. Cavarly moved to amend the amendment of the committee proposing to fill the blank salary of the prosecuting attorney with "two hundred and fifty dollars," by striking out "and fifty."

Mr. Dougherty moved that said bill and amendments be re-committed to the committee on the Judiciary with instructions:

"To amend the bill by providing that the vacancies now occasioned by the death of Judge Robinson, and the resignation of Judges Semple and Douglass, be filled with circuit judges, and all other vacancies hereafter occurring in the Supreme Court, shall be filled in like manner, until the number of the Supreme Judges shall be reduced to four."

Mr. McMurtry moved that the instructions be amended by striking out "four" and inserting "five;" which was not agreed to.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The question pending at the adjournment being upon a motion to refer to the committee on the Judiciary with instructions, the bill for "An act to establish the Cook county court," together with amendments.

Mr. Worthington moved a call of the Senate, which call proceeded, and was,

On motion of Mr. Cavarly,

Dispensed with.

Mr. Cavarly moved to lay the motion to refer with instructions on the table; which was decided in the affirmative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Cavarly, Constable, Davis, Dunlap, Fithian, Forman, Harris, Harrison, Judd, Markley, Matteson, Minard, Morrison, Nunnally, Parker, Ruggles, Ryan, J. Smith, Thompson, Vandeventer, Warren, Wilbanks and Wynne—24.

Those voting in the negative, are,

Messrs. Boal, Buford, Catlin, Dougherty, Edwards, Henry, Johnson, Killpatrick, Leviston, McMillan, McMurtry, Powers, G. Smith, Waters, Webb and Worthington—16.

Mr. Webb moved that said bill and amendments be referred to a committee of the whole Senate, and made the special order for to-morrow at two o'clock, P. M.

Mr. Judd moved to lay the motion to refer to the committee of the whole, on the table; which was decided in the negative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Constable, Davis, Dunlap, Forman, Harris, Judd, Markley, Matteson, Minard, Morrison, Nunnally, Ruggles, Ryan, Thompson, Vandeventer, Wilbanks and Wynne—18.

Those voting in the negative, are,

Messrs. Boal, Buford, Catlin, Cavarly, Dougherty, Edwards, Fithian, Harrison, Henry, Johnson, Killpatrick, Leviston, McMillan, McMurtry, Parker, Powers, J. Smith, G. Smith, Warren, Waters, Webb and Worthington—22.

And the question then being taken on referring said bill to the committee of the whole Senate, it was decided in the affirmative.

On motion of Mr. Judd,

The order of business was suspended, and the bill from the House of Representatives entitled "An act to incorporate the Chicago and Rock river Plank Road Company," was taken up, read the first and second time by its title, and referred to the committee on Incorporations.

Mr. Davis, on leave given, introduced a bill entitled "An act to authorize Hannah G. Sharp to keep and maintain a ferry across the Mississippi river;" which was read, and

Ordered to a second reading.

On motion of Mr. Davis,

The rule was dispensed with, said bill read a second time by its title, and referred to the committee on the Judiciary.

Mr. Harris, from the committee on Petitions, to which was referred the petition of J. L. Ruddick and wife, reported a bill entitled "An act for the relief of Joseph L. Ruddick and Margaret Ruddick;" which was read, and

Ordered to a second reading.

On motion of Mr. Fithian,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Warren, from the select committee, to which was referred the petition of sundry citizens of Moultrie county, praying for the permanent location of the county seat of said county, reported a bill entitled "An act for the permanent location of the seat of justice of Moultrie county;" which was read, and

Ordered to a second reading.

On motion of Mr. Warren,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Harris, on leave, introduced a bill entitled "An act to amend the charter of the city of Galena;" which was read, and

Ordered to a second reading, and

On his motion the rule was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed for a third reading.

On motion,

The Senate adjourned.

FRIDAY, JANUARY 10, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Richmond.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed a bill for "An act to authorise the school commissioner of Morgan county to pay certain money," in the passage of which they ask the concurrence of the Senate.

The House have ordered to be printed for the use of the two Houses, a report from the Auditor of Public Accounts, transmitting a statement of the population of each county by the last census, the amount of taxes received from each county for the year 1843 and 1844, together with the amount paid out to each county for said years, showing how much more each county in the State has paid than it has received back from the State.

Mr. Ryan presented the petition of sundry citizens of Kendall county, praying for an increase in the rate of taxation for the purpose of paying a part of the accruing interest upon the public debt; which was read, and on his motion, referred to the committee on Finance.

Mr. Cavarly presented the petition of Thomas Vandever and others praying the reduction of salaries and fees of officers, the per diem pay of members, the reduction of two-thirds of the members of the Legislature and the payment of the State debt; which was read, and on his motion, referred to the committee on Retrenchment.

Mr. Cavarly presented the petition of Stephen Joseph Iankiewicz, praying a change of name; which was read, and on his motion, referred to the Joint Select committee on Change of Names.

Mr. Edwards presented the petition of A. McCormick and R. Radford, asking compensation for making walks to State House; which was read, and on his motion, referred to the committee on Public Accounts and Expenditures.

Mr. Vandever moved a call of the Senate, and some time having been spent therein,

On motion of Mr. Cavarly,

The further proceedings under the call were dispensed with.

Mr. Catlin presented the petition of sundry citizens of St. Clair county, praying for a ferry across the Kaskaskia river; which without reading, was on his motion, referred to the committee on Internal Navigation.

Mr. Matteson from the committee on Finance to which was referred a resolution in relation to the fees of physicians with instructions, reported a bill entitled "An act to qualify physicians and attorneys to practise in their profession in the State of Illinois;" which was read, and

Ordered to a second reading.

Mr. Matteson, from the same committee, to which was referred a communication from the Auditor of Public Accounts, on the subject of the amounts shown in his biennial report to have been paid to the Governor, Secretary of State, Auditor and Treasurer, made report and were discharged from the further consideration of the subject, and the report on motion, laid on the table.

Mr. Constable, from the committee on the Judiciary, to which was referred a petition of sundry citizens of St. Clair county, reported a bill for "An act to amend an act entitled an act relative to criminal jurisprudence, in force July 1st, 1833;" which bill was read, and

Ordered to a second reading.

Mr. Vandeventer from the committee on Incorporations, to which was referred a bill from the House of Representatives for "An act to incorporate the Chicago and Rock river plank road company," reported the same back to the Senate with an amendment; which was concurred in.

Mr. Ruggles moved to amend said bill as follows:

In the 8th section and 23d line from the top, after the word "tolls," insert the following:

"*Provided*, The owner of any drove of horses, mules, cattle, hogs, sheep or goats shall in no case be liable for the penalty of five dollars, as provided for in the latter clause of the 10th section."

In the 8th section and 4th line from the bottom, after the word, "other," insert the following:

"And no arrangement of toll gates shall be made on the first ten miles of said road west of Chicago, so as to require the traveller to pay more than the legal rates for that distance."

And in the 10th section and 5th line, before the word "five," insert the word "twenty."

Mr. Judd called for a division of the question, so as to take the vote separately on the several branches of said amendment.

On motion of Mr. Vandeventer,

The first proposed amendment to the 8th section was laid on the table.

The second proposed amendment to the 8th section was then adopted.

Mr. Judd moved that the proposed amendment to the 10th section, inserting "twenty" before "five" be laid on the table; which was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Davis, Dougherty, Dunlap, Edwards, Forman, Johnson, Judd, Killpatrick, Matteson, McMurtry, Minard, Ryan, J. Smith, Vandeventer and Wilbanks—17.

Those voting in the negative, are,

Messrs. Catlin, Cavarly, Constable, Fithian, Harris, Harrison, Henry, Leviston, Markley, Morrison, Nunnally, Parker, Powers, Ruggles, G. Smith, Warren, Waters and Worthington—18.

Said amendment to the 10th section was then adopted.

Ordered, That said bill as amended be read a third time.

On motion of Mr. Judd,

The rule was dispensed with, and said bill read a third time by its title, and passed.

Mr. Dougherty from the select committee, to which was referred a bill from the House of Representatives for "An act to permanently locate the county seat of the county of Alexander," reported the same back with an amendment, which was concurred in, and the bill, as amended,

Ordered to be read a third time.

On motion of Mr. Dougherty,

The rule was dispensed with, and said bill read a third time by its title, and passed.

Ordered, That the titles of the two last mentioned bills be as aforesaid, and that the Secretary inform the House of Representatives of the concurrence of the Senate in their passage, and ask the concurrence of the House in said several amendments.

Mr. Dougherty from the select committee, to which was referred the bill from the House of Representatives for "An act to amend the several laws apportioning the representation among the several counties in this State," with an amendment, which was concurred in, and the bill, as amended,

Ordered to a third reading.

Mr. Vandeventer moved that the order of business be suspended for the purpose of taking up for consideration two several resolutions offered by him, providing that the General Assembly adjourn *sine die* on the 10th of February next, &c., and that the standing hour of adjournment for the Senate be half past nine o'clock A. M. of each day, and the question being taken on said motion, it was decided by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Catlin, Cavarly, Dougherty, Dunlap, Fithian, Johnson, Leviston, Matteson, Minard, Nunnally, Parker, J. Smith, Vandeventer, Warren, Wilbanks and Wynne—17.

Those voting in the negative, are,

Messrs. Allen, Davis, Edwards, Forman, Harris, Harrison, Henry, Judd, Killpatrick, Markley, McMurtry, Powers, Ruggles, Ryan, G. Smith, Waters and Worthington—17.

Three-fourths of the Senators present not voting for the suspension, the motion was lost.

Mr. Nunnally offered for adoption the following resolution, which lies one day on the table:

Resolved by the Senate, That the committee on Public Accounts and Expenditures be requested to inquire into the expediency of reducing the expenses of taking the census of this State.

Mr. Wilbanks offered for adoption the following resolution, which lies one day on the table:

Resolved, That the committee on Retrenchment be instructed to inquire into the expediency of repealing so much of the law as requires the Governor to appoint bank commissioners, and that they report by bill or otherwise.

Mr. Boal offered for adoption the following resolution, which lies one day on the table:

Resolved, That the committee on Finance be instructed to inquire into the expediency of authorising county commissioners to bid in land in the collection of debts due the county, to make sales thereof, from time to time and deed the same.

Mr. Harris offered for adoption the following resolution, which lies one day on the table:

Resolved by the Senate, That the ordering of five thousand copies of the school memorial to be printed, be so far modified as to restrict the number to be printed, to fifteen hundred only.

Mr. Harris moved to dispense with the rule, and that the resolution be now considered; which was not agreed to.

Mr. Johnson, on leave, introduced a bill entitled an "Act to relocate a part of the State road leading from the town of Amity to the town of Highland;" which was read, and

Ordered to a second reading.

On motion of Mr. Johnson,

The rule was dispensed with, said bill read a second time by its title, and

'On motion of Mr. Cavarly,

Referred to the committee on Public Roads.

Mr. Cavarly, on leave, introduced a bill entitled "An act for the relief of the heirs of George Finney, deceased, which was read, and

Ordered to a second reading.

Mr. G. Smith, on leave, introduced a bill entitled "An act for the relief of John Cooper, collector of revenue for Madison county for the year 1841; which was read, and

Ordered to a second reading.

On motion of Mr. Fithian,

The rule was dispensed with, said bill read a second time by its title, and

On motion of Mr. Cavarly,

Referred to the committee on Finance.

Mr. Forman, on leave, introduced a bill entitled "An act to provide for the election of a public binder;" which was read, and

Ordered to a second reading; and on his motion, the rule was dispensed with, and said bill read a second time by its title, and referred to the committee on Retrenchment.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

A message from the Governor, by Thompson Campbell, Esq., Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing.

According to previous order, the Senate resolved itself into a Committee of the Whole, Mr. Webb in the chair, to consider the bill for "An act to establish the Cook county court," with a proposed amendment and an amendment to that amendment.

After some time, the committee rose, and by their chairman reported progress, and obtained leave to sit again.

A message from the Governor, by Thompson Campbell, Esq., Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication.

Mr. Webb moved that the committee of the whole be discharged from the further consideration of the bill for "An act to establish the Cook county court;" which was decided in the affirmative.

On motion of Mr. Judd,

The order of business was suspended, and the bill for "An act to establish the Cook county court," was taken up for consideration.

The question then being taken on the adoption of the amendment proposing to strike out the words "and fifty" from the amendment reported by the committee on the Judiciary, it was decided in the affirmative.

Mr. Webb moved that the amendment be further amended by striking it out, and all after the enacting clause of the bill, and inserting the following in lieu thereof:

"That the chief justice and five present associate justices of the Supreme court who have been elected as such by the General Assembly, shall constitute the Supreme Court of the State of Illinois, and any three of the said Supreme court judges shall constitute a quorum until other provision shall be made by law.

Sec. 2. There shall be elected by joint ballot of both branches of the General Assembly at its present session——Circuit judges, who, together with the said Supreme court judges shall preside in the several Circuit courts, now or hereafter authorised and required to be held in the several counties in this State, and shall exercise and possess such jurisdiction therein, as is or may be allowed to the Circuit courts in this State.

Sec. 3. The said Circuit judges when thus elected, shall be commissioned by the Governor, and shall hold their offices during good behaviour, and shall reside in the Circuits to which they may be respectively assigned.

Sec. 4. All laws and parts of laws now in force, relating to the judges of the Supreme court while performing circuit duties in conferring jurisdiction upon them, defining their duties or appertaining to them in any way shall (so far as the same may be applicable) to be taken and construed to be of full force, and binding to all intents and purposes upon the Circuit judges elected by virtue of this act.

Sec. 5. The judges elected by virtue of this act shall each receive a salary of one thousand dollars per annum, to be paid out of any money in the treasury not otherwise appropriated.

Sec. 6. That all laws and parts of laws coming within the purview of this act, be and the same are hereby repealed.

Mr. McMurtry called for a division of the question, so as first to take the vote on striking out.

Mr. Judd moved a call of the Senate; which proceeded, and was,

On motion of Mr. Dougherty,
Dispensed with.

Mr. Warren moved a call of the Senate; which progressed some time, and was,

On motion of Mr. Parker,
Dispensed with.

And the question being then taken on striking out all of said bill after the enacting clause, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Cavarly, Constable, Dougherty, Edwards, Fithian, Henry, Johnson, Killpatrick, Leviston, McMillan, McMurtry, Parker,

Powers, J. Smith, G. Smith, Waters, Webb and Worthington—20.

Those voting in the negative, are,

Messrs. Allen, Davis, Dunlap, Forman, Harris, Judd, Markley, Matteson, Minard, Morrison, Nunnally, Ruggles, Ryan, Thompson, Vandeventer, Warren, Wilbanks and Wynne—18.

Mr. Davis moved to lay the amendment on the table.

Mr. Warren moved to lay the bill and amendment on the table.

Mr. Webb moved that the Senate adjourn; which was not agreed to.

Mr. Judd called for a division of the question, upon laying the bill and amendment on the table.

A message from the Governor, by Thompson Campbell, Esq., Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication.

The question was then put upon laying the amendment to the bill under consideration, on the table, and decided in the affirmative, by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Catlin, Cavarly, Davis, Dunlap, Forman, Harris, Judd, Leviston, Markley, Matteson, McMurtry, Minard, Morrison, Nunnally, Parker, Ruggles, Ryan, J. Smith, Thompson, Vandeventer, Warren, Wilbanks and Wynne—24.

Those voting in the negative, are,

Messrs. Boal, Buford, Constable, Dougherty, Edwards, Fithian, Harrison, Henry, Johnson, Killpatrick, McMillan, Powers, G. Smith, Waters, Webb and Worthington—16.

The question was then taken on that part of the motion proposing that the bill be laid on the table, and decided in the negative, by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Catlin, Dougherty, Edwards, Harrison, Johnson, Killpatrick, McMillan, McMurtry, Morrison, Parker, Powers, J. Smith, G. Smith, Webb, and Worthington—17.

Those voting in the negative, are,

Messrs. Allen, Cavarly, Constable, Davis, Dunlap, Fithian, Forman, Harris, Henry, Judd, Leviston, Markley, Matteson, Minard, Nunnally, Ruggles, Ryan, Thompson, Vandeventer, Warren, Waters, Wilbanks and Wynne—23.

On motion,

The Senate adjourned.

SATURDAY, JANUARY 11, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Bergen.

A message from the House of Representatives by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have adopted the following resolution:

Resolved, by the House of Representatives the Senate concurring herein, That both Houses of the General Assembly will meet in the Hall of the

House of Representatives on Tuesday, the 14th day of January 1845, at two o'clock, P. M., for the purpose of electing a Public Printer for the State of Illinois.

In the adoption of which they ask the concurrence of the Senate.

Mr. G. Smith presented the memorial of J. W. Schweppe and 168 others, praying for the repeal of the city charter of the city of Alton; which was read, and on his motion, referred to the committee on Incorporations.

Mr. Cavarly presented the remonstrance of Richard Robley and others, against the establishment of a State road, prayed for by John Boyer and others, in Greene county; which without reading, was on his motion, referred to the committee on Public Roads.

Mr. Speaker laid before the Senate a communication from the Governor, with accompanying documents, in relation to our system of internal improvements and State indebtedness; which were severally read.

Mr. Wynne, from the committee on Enrolled Bills, reported as correctly enrolled, a bill for "An act to authorize the county of Kane to levy an extra tax for county purposes," and that the same was, on yesterday laid before the Council of Revision.

On motion of Mr. Cavarly,

So much of the communication from the Governor, and documents under consideration as relates to claims against John Tillson, were referred to a select committee of five; and the remainder of said communication and documents to the committee on Public Accounts and Expenditures.

Ordered, That Messrs. Cavarly, Matteson, Fithian, Ryan and Forman, be said select committee.

A message from the Council of Revision, by Mr. Hawley, their Secretary:

Mr. Speaker: I am directed by the Council of Revision to inform the Senate, that they have approved bills of the following titles:

"An act to authorize the school commissioner of Cass county to distribute school funds;" and

"An act to authorize the county of Kane to levy an extra tax for county purposes."

Mr. Speaker announced that two several communications contained in the message from the Governor on yesterday, were upon Executive business.

On motion of Mr. Parker,

The said communications were acted upon with open doors, and severally read as follows:

EXECUTIVE DEPARTMENT,
Springfield, January 10, 1845.

To the Hon. the Senate:

I nominate Robert Wilson, to be Notary Public in and for the county of Wayne.

John M. Palmer, to be Notary Public, in and for the county of Macoupin, in place of William Bosbyshell, removed from the county, and

H. M. Weed, to be Notary Public in and for the county of Fulton, in place of James M. Shreeves, resigned.

THOMAS FORD.

EXECUTIVE DEPARTMENT,
Springfield, January 10, 1845.

To the Hon. the Senate:

I nominate Michael Fellows, to be Public Administrator and Notary Public, in and for the county of Lee, in place of George W. Chase, removed from the State.

THOMAS FORD.

On motion of Mr. Vandeventer,

Said nominations, except that of John M. Palmer, before confirmed by the Senate, were advised and consented to.

The bill for "An act to establish the Cook county court," as proposed to be amended by the committee on the Judiciary, and as amended by the Senate on yesterday, coming up for consideration, and pending the question, "Shall said bill as amended be engrossed for a third reading?"

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Edwards moved a call of the Senate, which proceeded for some time, and was then

On motion of Mr. Forman,

Dispensed with.

The question pending at the adjournment being upon ordering to be engrossed for a third reading, the bill for "An act to establish the Cook county court."

On motion of Mr. Minard,

Said bill was referred to a select committee of five.

Ordered, That Messrs. Minard, Judd, Davis, Constable and Webb, be that committee.

On motion of Mr. Matteson,

The order of business was suspended, and the resolution received this morning from the House of Representatives proposing that the two Houses meet on Tuesday next for the election of a Public Printer, was taken up for consideration.

On motion of Mr. Allen,

Said resolution was amended by adding the words "and an Auditor of Public Accounts and Treasurer."

Mr. Vandeventer moved to amend the resolution further by adding the following:

"Also, three justices of the Supreme court to fill the vacancies occasioned by the death of Judge Robinson, and the resignations of Judges Douglass and Semple."

And further, by striking out "Tuesday the 14th," and inserting instead "Thursday the 16th."

Mr. Johnson moved a call of the Senate; which after some time was, on motion, dispensed with.

On motion of Mr. McMurtry,

The vote taken on adding the words "Auditor of Public Accounts and Treasurer," was re-considered.

Mr. Davis moved that said amendment be laid on the table; which was not agreed to.

The question then being put upon the adoption of the amendment, it was decided in the affirmative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Cavarly, Constable, Dunlap, Fithian, Forman, Harris, Harrison, Killpatrick, Markley, Parker, J. Smith, G. Smith, Thompson, Vandeventer, Warren, Waters, Wilbanks and Wynne—20.

Those voting in the negative, are,

Messrs. Buford, Catlin, Davis, Dougherty, Edwards, Henry, Johnson, Judd, Leviston, Matteson, McMillan, McMurtry, Minard, Morrison, Nunnally, Ruggles, Ryan, Webb and Worthington—19.

Mr. Killpatrick moved that the vote last taken be re-considered; and the question being taken thereon, it was decided in the affirmative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Catlin, Constable, Davis, Dougherty, Edwards, Fithian, Henry, Johnson, Judd, Killpatrick, Leviston, Matteson, McMillan, McMurtry, Minard, Nunnally, Powers, Ruggles, Ryan, Webb and Worthington—23.

Those voting in the negative, are,

Messrs. Allen, Cavarly, Dunlap, Forman, Harris, Harrison, Markley, Morrison, Parker, J. Smith, G. Smith, Thompson, Vandeventer, Warren, Waters, Wilbanks and Wynne—17.

On motion of Mr. Davis,

Said amendment was laid on the table.

On motion of Mr. Harris,

The amendment offered by Mr. Vandeventer, was laid on the table.

Mr. Harris moved to amend the resolution by striking out the words "Tuesday the 14th," and insert "Saturday the 18th," in lieu thereof; which was decided in the negative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Cavarly, Forman, Harris, Johnson, Minard, Morrison, Parker, G. Smith, Warren, Waters and Wynne—12.

Those voting in the negative, are,

Messrs. Boal, Buford, Catlin, Constable, Davis, Dougherty, Dunlap, Edwards, Fithian, Harrison, Henry, Judd, Killpatrick, Leviston, Markley, Matteson, McMillan, McMurtry, Nunnally, Powers, Ruggles, Ryan, J. Smith, Thompson, Vandeventer, Webb, Wilbanks and Worthington—28.

The question then being taken on concurring with the House of Representatives in the adoption of the resolution, it was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Nunnally from the committee on Public Accounts and Expenditures, to which was referred a bill entitled "An act in relation to the distribution of the laws," reported the same back with an amendment, which was concurred in, and said bill as amended,

Ordered to be engrossed for a third reading.

Mr. Minard from the committee on Retrenchment, to which was refer-

red a communication from the Auditor of Public Accounts, on the subject of agents to select lands, &c., reported the same back, and were discharged from the further consideration of the subject.

On motion of Mr. Ruggles,

Said communication was laid on the table.

Mr. Parker from the select committee, to which was referred a bill entitled "An act limiting the jurisdiction of justices of the peace and constables to their respective precincts," reported the same back with an amendment as a substitute.

Mr. Davis moved to amend the proposed amendment by adding to the 2d section as follows:

"*Provided*, however that suits may be brought in all cases in the precincts before any justices of the peace, where such contracts shall be made payable, or where the same shall have been executed or entered into."

Mr. Henry moved that the bill and proposed amendments be indefinitely postponed.

Mr. Warren moved a call of the Senate, which after some time spent therein, was,

On motion of Mr. Constable,

Dispensed with.

The question being then put upon the motion to indefinitely postpone the bill and amendments, it was decided in the negative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Buford, Davis, Harrison, Henry, Judd, Killpatrick, Matteson, Minard, Ryan, G. Smith, Webb and Worthington—12.

Those voting in the negative, are,

Messrs. Allen, Boal, Catlin, Cavarly, Constable, Dougherty, Dunlap, Edwards, Fithian, Forman, Harris, Johnson, Leviston, Markley, McMillan, McMurtry, Morrison, Nunnally, Parker, Powers, Ruggles, J. Smith, Thompson, Vandeventer, Warren, Waters, Wilbanks and Wynne—28.

Mr. Warren moved that the amendment to the amendment be laid on the table; and the question being taken thereon, it was decided by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Catlin, Cavarly, Dougherty, Dunlap, Forman, Harris, Leviston, Markley, McMurtry, Morrison, Nunnally, Parker, Ruggles, J. Smith, Thompson, Warren, Waters, Wilbanks and Wynne—20.

Those voting in the negative, are,

Messrs. Boal, Buford, Constable, Davis, Edwards, Fithian, Harrison, Henry, Johnson, Judd, Killpatrick, Matteson, McMillan, Minard, Powers, Ryan, G. Smith, Vandeventer, Webb and Worthington—20.

There being a tie, Mr. Speaker voted in the affirmative.

So the amendment to the amendment was laid on the table.

Mr. Johnson moved that the amendment be amended by striking out all after the word "that" in the first line, and inserting as follows:

"In all cases where the plaintiff shall commence suits before any justice of the peace, at a greater distance than ten miles from the residence of the defendants, he the said plaintiff, shall pay all the mileage over and above the ten miles."

A division being called, the question was first taken on striking out, and was decided in the negative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Davis, Edwards, Fithian, Harrison, Henry, Johnson, Judd, Killpatrick, Matteson, McMillan, Minard, Powers, Ryan, G. Smith, Vandeventer, Webb and Worthington—19.

Those voting in the negative, are,

Messrs. Allen, Catlin, Cavarly, Constable, Dunlap, Forman, Harris, Leviston, Markley, McMurtry, Morrison, Nunnally, Parker, Ruggles, J. Smith, Thompson, Warren, Waters, Wilbanks and Wynne—20.

Mr. Davis moved to lay the amendment of the committee on the table; which was decided in the affirmative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Constable, Davis, Edwards, Fithian, Harrison, Henry, Johnson, Judd, Killpatrick, Matteson, McMillan, Minard, Morrison, Powers, Ryan, G. Smith, Vandeventer, Webb and Worthington—21.

Those voting in the negative, are,

Messrs. Allen, Catlin, Cavarly, Dougherty, Dunlap, Forman, Harris, Leviston, Markley, McMurtry, Nunnally, Parker, Ruggles, J. Smith, Thompson, Warren, Waters, Wilbanks and Wynne—19.

Mr. Nunnally moved to lay the bill on the table; which was decided in the negative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Buford, Davis, Harris, Harrison, Henry, Killpatrick, Matteson, Nunnally, Ryan, G. Smith, Warren, Wilbanks and Worthington—13.

Those voting in negative, are,

Messrs. Allen, Boal, Catlin, Cavarly, Constable, Dougherty, Dunlap, Edwards, Fithian, Forman, Johnson, Judd, Leviston, Markley, McMillan, McMurtry, Minard, Morrison, Parker, Powers, Ruggles, J. Smith, Thompson, Vandeventer, Waters, Webb and Wynne—27.

Mr. Parker moved to amend said bill by striking out of the second section the following words:

“Or in the justices’ district in which the cause of action may have originated.”

Mr. Davis moved to lay the proposed amendment on the table; which was decided in the affirmative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Constable, Davis, Edwards, Fithian, Forman, Harrison, Henry, Johnson, Judd, Killpatrick, Matteson, McMillan, Minard, Morrison, Powers, Ryan, G. Smith, Vandeventer, Webb and Worthington—22.

Those voting in the negative, are,

Messrs. Allen, Catlin, Cavarly, Dougherty, Dunlap, Harris, Leviston, Markley, McMurtry, Nunnally, Parker, Ruggles, J. Smith, Thompson, Warren, Waters, Wilbanks and Wynne—18.

Mr. Davis moved to amend said bill by adding, “or where the contract is made payable.”

Mr. Parker moved to refer said bill and the proposed amendment to the committee on the Judiciary.

Mr. Davis moved to lay the bill and proposed amendment on the table.

Mr. Parker moved to lay the motion of Mr. Davis on the table; which was agreed to.

And the question then being taken on referring the bill and proposed amendment to the committee on the Judiciary, it was decided in the affirmative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Catlin, Cavarly, Dougherty, Dunlap, Forman, Harris, Johnson, Leviston, Markley, McMurtry, Morrison, Nunnally, Parker, J. Smith, Thompson, Vandeventer, Warren, Waters, Wilbanks and Wynne—21.

Those voting in the negative, are,

Messrs. Boal, Buford, Constable, Davis, Edwards, Fithian, Harrison, Henry, Judd, Killpatrick, Matteson, McMillan, Minard, Powers, Ruggles, Ryan, G. Smith, Webb and Worthington—19.

On motion,

The Senate adjourned.

MONDAY, JANUARY 13, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Dresser.

Mr. Waters presented the petition of sundry citizens of Golconda in Pope county, for "An act to incorporate the town of Golconda," which without reading, was on his motion, referred to the committee on Incorporations.

Mr. Constable presented the petition of James McMillan and 46 other citizens of Wabash county, praying the passage of a law authorising the heirs of Moses Bedell, deceased, to build a mill dam on the Great Wabash river adjoining fractional section 26, T. 1, N. R. 12, W; which without reading, was, on his motion, referred to the committee on Internal Navigation.

Mr. Cavarly presented the petition of Thomas Ford and 70 other citizens of Greene county, praying the location of a certain State road; which without reading, was on his motion, referred to the committee on Public Roads.

Mr. Davis presented the memorial of sundry citizens of Hancock county, praying an investigation of the charges made by his excellency the Governor of this State, against the old citizens of that county; which was read.

Mr. Davis moved that said memorial be referred to a select committee of seven.

Mr. McMurtry moved to refer said memorial to the committee on Military Affairs.

Mr. Edwards moved to lay said memorial on the table; which was decided in the negative by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Buford, Dougherty, Dunlap, Harris, Matteson, McMurtry, Morrison, Nunnally, Thompson and Wynne—10.

Those voting in the negative, are,

Messrs. Allen, Boal, Catlin, Cavarly, Constable, Davis, Edwards, Fithian, Forman, Henry, Johnson, Judd, Killpatrick, Leviston, Markley, Minard, Parker, Powers, Ruggles, Ryan, J. Smith, G. Smith, Vandeventer, Warren, Waters, Webb and Worthington—27.

Mr. Davis withdrew his motion to refer to a select committee, and the

question then being taken on referring said memorial to the committee on Military Affairs, it was decided in the affirmative.

On motion of Mr. Edwards,

The message some days since laid on the table from the Governor, in relation to the disturbances in Hancock county, was taken up and referred to the committee on Military Affairs.

Mr. Powers presented the petition of sundry citizens of Piatt county, praying for the location of a State road from Charleston in Coles county, to Mount Pleasant in De Witt county; which was read, and on his motion, referred to the committee on Public Roads.

Mr. McMillan presented the petition of sundry citizens of Henderson county, praying for an increase of taxes; which was read, and on his motion, referred to the committee on Finance.

Mr. Powers presented the petition of sundry citizens of township 17, N. of range No. 4, E. remonstrating against the granting the prayer of a petition in behalf of James Chambers; which without reading, was, on his motion, referred to the committee on School Lands and Education.

Mr. Forman presented the memorial of Samuel A. Buckmaster, proposing to take a lease of the penitentiary; which was read, and

On motion of Mr. Forman,

Referred to the committee on the Penitentiary.

Mr. Nunnally from the committee on Public Accounts and Expenditures to which was referred a communication and accompanying documents from the Governor, in relation to the system of Internal Improvements and State debts, reported the same back together with the following resolution; which was read and adopted.

Resolved, That a joint select committee of two on the part of the Senate, and three on the part of the House, be raised to examine the *ex officio* fund commissioner's report and accompanying documents.

Ordered, That Messrs. Nunnally and Judd be the committee on the part of the Senate, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Webb, from the committee on the Judiciary, reported the following preamble and resolutions; which were concurred in.

Whereas, The decisions of the Supreme court of the United States, contain the most authentic construction and exposition of the constitution of the United States, the acts of Congress, and the treaties of this government with foreign nations; and whereas, said decisions are voluminous, and cannot be procured but at great expense, and are therefore accessible only to a very few of our fellow-citizens; therefore,

Resolved by the General Assembly of the State of Illinois, That the decisions of said court, in order to their more general diffusion, ought to be published under the authority of Congress, at the expense of the nation.

Resolved, That it would be a wise and beneficial policy, to present copies of said decisions to the Executive and Legislative branches of every State government, to all the courts of general jurisdiction, as well as to all the colleges and public libraries throughout the Union.

Resolved, That the Senators and Representatives of this State in Congress, are hereby requested to use their best exertions to procure the

passage of a law to carry this important design into execution; and that the Governor of this State be requested to furnish the President of the United States with a copy of these resolutions, with a request that he lay before each House of Congress a copy of them.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Cavarly, from the committee on the Judiciary, to which was referred a bill from the House of Representatives entitled "An act for the benefit of schools of township eight north, of range six east, in Effingham county," reported the same back with an amendment.

On motion of Mr. Killpatrick,

Said bill and the proposed amendment were referred to the committee on School Lands and Education.

A message from the Governor, by Thompson Campbell, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing.

Mr. Cavarly, from the committee on the Judiciary, to which was referred a bill from the House of Representatives entitled "An act in relation to common schools," reported the same back without amendment.

On motion of Mr. Cavarly,

Said bill was referred to the committee on School Lands and Education.

Mr. Cavarly, from the same committee, to which was referred the bill entitled "An act more effectually to prevent trespassing by cutting timber," with instructions, reported the same back with an amendment.

Mr. Henry moved to amend the proposed amendment by striking out the word "jail" whenever it occurs.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The question recurring on the question pending at the time of adjournment, which was on the motion to strike out the word "jail" whenever it occurs in the amendment of the committee on the Judiciary, to the bill entitled "An act more effectually to prevent trespassing by cutting timber."

On motion of Mr. Cavarly,

The proposed amendment to the amendment was laid on the table.

Mr. G. Smith moved to amend the proposed amendment by inserting in the 7th line, after the word "complainant," the following:

"After notice of the filing with the officer of such affidavit."

Mr. Killpatrick moved the previous question, and on the question, "Shall the main question be now put?" It was decided in the affirmative.

The question then being taken on the adoption of the proposed amendment to the amendment, it was decided in the affirmative.

And the amendment as amended was concurred in, and said bill as amended,

Ordered to be engrossed for a third reading.

Mr. Davis, from the committee on the Judiciary, to which was referred a bill from the House of Representatives, entitled "An act to repeal 'An act to enable the inhabitants of school townships in Hancock county to purchase the school lands therein and for other purposes,'" reported the same back and recommended its rejection.

On motion of Mr. Davis,

Said bill was laid on the table until the 4th day of July next.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Edwards moved that the Senate now resolve itself into a committee of the whole, for the purpose of again taking into consideration the resolutions heretofore referred to said committee, in relation to Internal Improvements and the payment of the State debt; which was not agreed to.

Mr. G. Smith offered for adoption the following resolution, which lies one day on the table.

Resolved by the Senate, the House of Representatives concurring herein, That a joint select committee of three on the part of the Senate, and three on the part of the House of Representatives, be appointed, whose duty it shall be to inquire into and report by resolution to each House, the earliest practicable day when the labors of the present session of the General Assembly may be brought to a close, without detriment to the public interests.

Mr. Vandeventer, on leave, introduced a bill for "An act to amend 'An act entitled 'An act concerning public roads;'" which was read, and

Ordered to a second reading.

Mr. Johnson, on leave, offered for adoption the following resolution, which lies one day on the table:

Resolved by the Senate, the House of Representatives concurring herein, That the Governor of the State is hereby directed not to receive the State bonds from the bank of Illinois, which were sold by McAlister & Stebbins, for any greater sum than was authorised by an act of the Legislature, approved at the last session, for the purpose of settling and cancelling said bonds with said McAlister & Stebbins.

Mr. Davis, on leave, offered for adoption the following resolution, which lies one day on the table:

Resolved, That the Treasurer be requested to inform the Senate of the amount of State bonds, also the amount of Internal Improvement scrip, and canal scrip, and all other funds, now in the Treasury; together with the several amounts of interest which had accrued thereon, at the time such bonds, scrip, or other funds were returned to the State.

The orders of the day were taken up.

The bills entitled "An act to amend the several laws allowing Illinois and Michigan canal lands to be taxed and sold for taxes;"

"An act authorising certain persons holding property in trust for the use of the Catholic church and societies thereof, in the State of Illinois, to convey the same;"

"An act to authorise the appointment of commissioners in other States;"

"An act for the relief of certain persons therein named;"

"An act to amend the charter of the city of Galena;"

"An act for the permanent location of the seat of justice of Moultrie county;" and

"An act in relation to the distribution of the laws, were severally read a third time and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bills.

The bill entitled "An act for the relief of Joseph L. Ruddick and Margaret Ruddick," was read a third time.

And on the question, "Shall said bill pass?" It was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Catlin, Cavarly, Constable, Davis, Dunlap, Edwards, Fithian, Henry, Johnson, Judd, Killpatrick, Leviston, Matteson, McMillan, Minard, Morrison, Powers, Ruggles, Ryan, G. Smith, J. Smith, Thompson, Vandeventer, Warren, Waters, Wilbanks and Worthington—29.

Those voting in the negative, are,

Messrs. Allen, Dougherty, Harris, Markley, McMurtry, Nunnally and Parker—7.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill entitled "An act to amend 'An act entitled 'An act in relation to criminal jurisprudence, in force July 1st, 1833,'" was read a second time, and

Ordered to be engrossed for a third reading.

The bill entitled "An act for the relief of the heirs of George Finney, deceased," was read a second time, and

Ordered to be engrossed for a third reading.

The bill entitled "An act to qualify Physicians and Attorneys to practice in their professions in the State of Illinois," was read a second time.

Mr. McMurtry moved to lay the same on the table; which was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Catlin, Cavarly, Davis, Edwards, Fithian, Henry, Killpatrick, Markley, McMurtry, Nunnally, Powers, Ruggles, J. Smith and Vandeventer—16.

Those voting in the negative, are,

Messrs. Allen, Constable, Dougherty, Dunlap, Forman, Harris, Johnson, Judd, Matteson, McMillan, Minard, Morrison, Parker, Ryan, G. Smith, Thompson, Warren, Waters, Wilbanks and Worthington—20.

Mr. Davis moved to lay said bill on the table until the 4th day of July next; which was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Cavarly, Davis, Dougherty, Edwards, Fithian, Henry, Judd, Killpatrick, Markley, McMillan, Powers, Ruggles, J. Smith, Vandeventer, Waters and Worthington—18.

Those voting in the negative, are,

Messrs. Allen, Catlin, Constable, Dunlap, Forman, Harris, Johnson, Leviston, Matteson, McMurtry, Minard, Morrison, Nunnally, Parker, Ryan, G. Smith, Thompson, Warren and Wilbanks—19.

Mr. Judd moved to refer said bill to the committee on Salines and Saline Lands; which was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Buford, Dougherty, Fithian, Henry, Judd, McMurtry, Nunnally, J. Smith, Vandeventer and Waters—11.

Those voting in the negative, are,

Messrs. Boal, Catlin, Cavarly, Constable, Davis, Dunlap, Edwards, Forman, Harris, Johnson, Killpatrick, Leviston, Markley, Matteson, McMillan, Minard, Morrison, Parker, Powers, Ruggles, Ryan, G. Smith, Thompson, Warren, Wilbanks and Worthington—26.

Mr. Killpatrick moved the previous question.

And on the question, "Shall the main question be now put?" It was decided in the affirmative.

The question then being taken on ordering said bill to be engrossed for a third reading, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Constable, Dunlap, Forman, Harris, Johnson, Leviston, Matteson, Nunnally, Parker, Ryan, G. Smith, Thompson, Warren, and Wilbanks—15.

Those voting in the negative, are,

Messrs. Boal, Buford, Catlin, Cavarly, Davis, Edwards, Fithian, Henry, Judd, Killpatrick, Markley, McMillan, McMurtry, Minard, Morrison, Powers, Ruggles, J. Smith, Vandeventer, Waters, Worthington and Wynne—22.

Bill from the House of Representatives:

The bill for "An act to amend the several laws apportioning the representation among the several counties in this State," was read a third time and passed, as amended.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendment of the Senate.

Bills of the following titles:

"An act requiring county orders to be countersigned by county Treasurers," and

"An act to amend "an act exempting certain articles from execution," were severally read a second time, and

Ordered to a third reading.

The bill for "An act to amend 'An act directing the mode of electing electors for President and Vice President of the United States,' " approved Jan. 11, 1827, was read a second time, and

On motion of Mr. Minard,

Referred to the committee on Elections.

The bill for "An act to authorise James Lawrence and James B. Anderson to collect certain taxes," was read a second time, and

On motion of Mr. Parker,

Referred to a select committee.

Ordered, That Messrs. Parker, Nunnally and Dunlap be that committee.

The bill for "An act to amend 'An act for the speedy assignment of

dower and partition of real estate," approved February 26, 1827, was read a second time, and

On motion of Mr. Constable,

Referred to the committee on the Judiciary.

The bill for "An act to change the name of the Bethel Society of the Methodist Episcopal church, in Morgan county, to that of Hebron Society," was read a second time, and

Ordered to a third reading.

On motion of Mr. Henry,

The rule was dispensed with, and said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill for "An act providing as to the time when acts passed by the Legislature shall be in force," was read a second time, and

On motion of Mr. Parker,

Referred to the committee on the Judiciary.

The bill from the House of Representatives entitled "An act to locate a State road therein named," was read, and

Ordered to a second reading.

On motion of Mr. Warren,

The rule was dispensed with, said bill read a second time by its title, and

On motion of Mr. Constable,

Referred to the committee on Public Roads.

The bill from the House of Representatives entitled "An act to authorise Henry Dodd and George Early, to build a dam across Fox river in McHenry county," was read, and

Ordered to a second reading.

On motion of Mr. Cavarly,

The rule was dispensed with, said bill read a second time by its title, and

On motion of Mr. Harris,

Referred to the committee on Internal Navigation.

The bill from the House of Representatives entitled "An act to authorise the school commissioner of Morgan county, to pay certain money," was read, and

Ordered to a second reading.

On motion of Mr. Henry,

The rule was dispensed with, said bill read a second time by its title, and

Referred to a select committee.

Ordered, That Messrs. Henry, Ruggles and Killpatrick be that committee.

The bill entitled "An act to provide for the representation of certain counties therein named," as amended by the House of Representatives being under consideration,

Mr. Webb moved that said bill and amendment be referred to the committee on Elections.

Mr. Davis moved the previous question,

And on the question, "Shall the main question be now put?" It was decided in the affirmative.

The question being then taken upon concurring with the House of Representatives in their amendment to said bill, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Davis, Dougherty, Dunlap, Edwards, Forman, Harris, Judd, Leviston, Matteson, McMillan, McMurtry, Minard, Nunnally, Parker, Ryan, Vandeventer and Warren—18.

Those voting in the negative, are,

Messrs. Boal, Catlin, Cavarly, Constable, Fithian, Henry, Johnson, Killpatrick, Markley, Powers, Ruggles, G. Smith, J. Smith, Webb, Wilbanks, Worthington and Wynne—17.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion,

The Senate adjourned.

TUESDAY, JANUARY 14, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Edson.

Mr. J. Smith presented several petitions of the citizens of Marquette and Adams counties, praying that more territory from the county of Adams, be added to the county of Marquette, which without reading were referred to the same select committee, to which other petitions have been referred on the same subject.

Mr. Thompson presented the petition of 185 citizens of Peoria county, for a city charter; which was read, and on motion, referred to the committee on Incorporations.

Mr. J. Smith presented the remonstrance of sundry citizens of Marquette against attaching any portion of said county to the county of Brown, which without reading was, on motion, referred to the select committee, to which other petitions, &c., on the same subject have been referred.

Mr. Boal presented the petition of John P. Hayes and others, of Putnam county, praying for the abolition of the license laws; which was read, and on motion, referred to the committee on the Judiciary.

Mr. Worthington presented the petition of Alfred Grubb and others, praying the passage of a law authorizing precincts to vote for or against license to retail intoxicating liquors; which was read, and on motion, referred to the committee on the Judiciary.

Mr. Speaker laid before the Senate a communication from the Governor, in relation to the fine of Richard Eells, for aiding a negro slave to escape from his master; which was read, and

On motion of Mr. Parker,

Referred to the committee on the Judiciary.

Mr. Leviston from the committee on Salines and Saline Lands, to which was referred a bill entitled "An act for the relief of township 9, in ranges 7 and 8 east, in Gallatin county;" also, a petition on the same subject, reported the same back, and recommended the passage of said bill.

Ordered, that said bill be engrossed for a third reading.

Mr. Henry, from the select committee, to which was referred a bill from the House of Representatives entitled "An act to authorize the school commissioner of Morgan county to pay certain money," reported the same back without amendment and recommended its passage; said bill was,

Ordered to a third reading.

Mr. Parker, from the select committee, to which was referred the bill entitled "An act to alter and amend the law concerning interest on money and usury," with instructions, reported the same back with an amendment.

Mr. Warren moved the previous question.

And on the question, "Shall the main question be now put?" It was decided in the negative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Catlin, Cavarly, Constable, Dunlap, Forman, Harris, Leviston, McMurtry, Morrison, Nunnally, Parker, Ruggles, J. Smith, Thompson, Vandeventer, Warren and Wynne—18.

Those voting in the negative, are,

Messrs. Boal, Buford, Davis, Dougherty, Edwards, Fithian, Harrison, Henry, Johnson, Leviston, Killpatrick, Markley, Matteson, Minard, Powers, Ryan, G. Smith, Waters, Webb, Wilbanks and Worthington—21.

Mr. Henry moved to suspend the order of business, and that said bill be now further considered; which was not agreed to.

Mr. Parker, from the select committee, to which was referred a bill from the House of Representatives, entitled "An act to authorize James Lawrence and James B. Anderson, to collect certain taxes," reported the same back without amendment, and recommended its passage.

Ordered, that the bill be read a third time.

On motion of Mr. Parker,

The rule was dispensed with, said bill read a third time by its title and passed.

Ordered, That the title of said bill be as aforesaid, and that the Secretary inform the House of Representatives of the concurrence of the Senate.

Mr. Warren offered for adoption the following resolution; which lies one day on the table:

Resolved by the Senate, the House of Representatives concurring herein, That the two Houses of the General Assembly will meet in the Hall of the House of Representatives on Saturday the 18th inst., at two o'clock, P. M., for the purpose of electing three associate justices of the Supreme Court, to fill the vacancies occasioned by the death of Judge Robinson, and the resignations of Judges Douglass and Semple.

Mr. Ruggles offered for adoption the following preamble and resolution, and the rule having been dispensed with,

On motion of Mr. McMurtry,

The same was considered:

Whereas: By the course usually adopted by the majority of members, in anticipation of the elections which devolve upon this General Assembly, renders the meeting of the two Houses, and voting a mere formality;

Therefore,

Resolved, That such Senators as may believe that their rights under the constitution have been virtually sacrificed by such preliminary action, may

have leave to absent themselves from the Senate during the time of holding such election.

Mr. Henry moved that said preamble and resolution be laid on the table; and the question being taken thereon, it was decided in the affirmative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Buford, Catlin, Cavarly, Davis, Dougherty, Dunlap, Harris, Henry, Judd, Leviston, Markley, McMurtry, Minard, Morrison, Powers, Ryan, Thompson, Vandeventer and Warren—20.

Those voting in the negative, are,

Messrs. Boal, Constable, Edwards, Fithian, Forman, Harrison, Johnson, Killpatrick, Nunnally, Parker, Ruggles, J. Smith, G. Smith, Waters, Webb, Wilbanks and Wynne—17.

Mr. Markley, on leave, introduced a bill entitled "An act to incorporate the Illinois Phalanx and Industrial Association;" which was read, and *Ordered* to a second reading.

On motion of Mr. Markley,

The rule was dispensed with, and said bill read a second time by its title, and referred to the committee on Incorporations.

Mr. Killpatrick, on leave, introduced a bill entitled "An act to amend an act to incorporate the town of Winchester, in Scott county;" which was read, and

Ordered to a second reading.

On motion of Mr. Killpatrick,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed for a third reading.

A message from the House of Representatives, by Mr. Cloud, their Clerk:

Mr. Speaker: I am directed by the House of Representatives, to inform the Senate that the House have concurred with them in the passage of their bills of the following titles:

"An act vacating part of a street in the town of St. Charles, in Kane county;"

"An act to legalize the acts of certain assessors in this State;"

"An act authorizing the probate justice of the peace for Mouitrie county to hold his office at his residence."

The House of Representatives have passed bills of the following titles, viz:

"An act to establish a State road from St. Marys, in Jasper county, to Cumberland, in Clark county;"

"An act to amend an act relative to wills and testaments, executors, and administrators, and the settlement of estates;"

"An act to incorporate the Illinois Literary and Historical Society;"

"An act entitled an act for the further restriction of imprisonment for debt."

In the passage of which several bills they ask the concurrence of the Senate.

The House of Representatives have ordered 500 copies of a bill for "An act regulating the assessment and collection of the public revenue," to be printed for the use of the two Houses;" They have also ordered 500

copies of a bill for "An act to provide for paying a portion of the interest on the public debt," to be printed for the use of the two Houses.

The House received from the Governor, as *ex officio* fund commissioner, a communication, and have ordered 500 copies of the communication with the accompanying documents to be printed for the use of the two Houses.

The House have also ordered 2000 copies of a report made to the House by the committee on Finance, to be printed for the use of the two Houses.

The House of Representatives have concurred with the Senate in their amendment to the 8th section of the House bill for "An act to incorporate the Chicago and Rock river plank road company;" they have also concurred in the Senate's amendment to the 10th section, and have refused to concur with the Senate in their amendment to the 20th section.

On motion of Mr. Judd,

The order of business was suspended, and the bill from the House of Representatives for "An act to incorporate the Chicago and Rock river plank road company," as amended by the Senate, was taken up.

On motion of Mr. Judd,

The Senate receded from their amendment to the 20th section of said bill, in which the House of Representatives had refused to concur.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

A message from the House of Representatives by Mr. Cloud, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that the House of Representatives are now ready to receive them in the Hall of the House, for the purpose of proceeding to the election of Public Printer for the State of Illinois.

Thereupon the Senate preceded by Mr. Speaker, repaired to the Hall of the House of Representatives, and the two Houses proceeded to the election of Public Printer, as follows:

Mr. Kuykendall of the House of Representatives nominated Messrs. Walters and Weber.

Mr. Morrison of the House of Representatives nominated Mr. Thomas C. Sharp.

And the vote being taken, stood thus:

For Messrs. Walters & Weber—99.

For Thomas C. Sharp—4.

Scattering—30.

Those who voted for Messrs. Walters & Weber on the part of the Senate, are,

Messrs. Allen, Buford, Cavarly, Davis, Dougherty, Dunlap, Forman, Harris, Judd, Leviston, Markley, Matteson, McMillan, McMurtry, Min-

M

ard, Morrison, Nunnally, Parker, Ryan, J. Smith, Thompson, Vandeventer, Warren and Wilbanks.

On the part of the House, are,

Messrs. Adams, Alexander, Anderson of Lawrence, Armstrong, Arnold, Babbitt, Backenstos, Benedict, Blair, Boyakin, Bradley, Brinkley, Brown, Burnett, Butler, Campbell, Cochran. Collins, Cox, Cushman, Davis of Williamson, Denning, Deskines, Funkhouser, Gregg, Hannaford, Hendry, Hick, Hicks, Hitt, Jackson of McHenry, Jackson of Stark, Janney, Jewell, Kirkpatrick, Kuykendall, Loop, Lott, McDonald, Miller, of Adams, Miller of Fulton, Morrille, Morris, Nye, O'Connor, Oglesby, Parrish, Pitner, Pratt, Prevo, Ricks, Robbins, Ross, Scott of De Witt, Scott of Macoupin, Sexton, Sharp, Sherman, Smith of Stephenson, Starkweather, Stewart, Thompson, Tunnel, Turley, Vedder, Vineyard, Wagner, Warren, White of Washington, Whiteside, Wood, Woodburn, Woollard, Zieber and Mr. Speaker—99.

Those who voted for Mr. Sharp, are Mr. Harrison of the Senate, and Messrs. Morrison, Smith of Sangamon, and White of Scott, of the House of Representatives—4.

Mr. Killpatrick of the Senate, voted for G. T. M. Davis—I.

Mr. Wynne of the Senate, voted for Messrs. Weber & Brooks—1.

Messrs. Churchill, David Davis, and Yates of the House of Representatives voted for John Bailaiche—3.

Messrs. Hanson and Harriott of the House of Representatives voted for George Churchill—2.

Mr. Dunbar of the House of Representatives voted for Monroe & Jackson—I.

Mr. Henderson of the House of Representatives, voted for Zieber & Churchill—I.

Mr. Hardie of the House of Representatives voted for John Wentworth—I.

Mr. Huffman of the House of Representatives, voted for Daniel Clapp—I.

Mr. Youngkin of the House of Representatives, voted for Hudson & Fuller—I.

Those voting blank on the part of the Senate, are,

Messrs. Boal, Edwards, Johnson, G. Smith and Waters.

On the part of the House, are,

Messrs. Arenz, Barnsback, Emerson, Herndon, Leighton, Matthews, Metz, Moore, Myers, Randolph, Smith of Bureau, Wilcox and Williams—18.

Messrs. Walters & Weber having received a majority of all the votes given, were by the Speaker of the House of Representatives declared duly elected Public Printers for the State of Illinois, and then the Senate returned to their Chamber.

Mr. Judd moved a call of the Senate, and the call having proceeded some time, was,

On motion of Mr. Allen,

Dispensed with.

The orders of the day were taken up.

The bill for "An act for the relief of the heirs of George Finney, deceased," was read a third time and passed.

The bill for "An act more effectually to prevent trespassing by cutting timber," was read a third time.

Mr. Catlin moved that the bill be referred to the committee on Elections;" which was not agreed to.

Mr. Dougherty moved to amend the bill in the 2d section, by inserting between the word "every" and the words "fifty cents," the words "one dollar and."

Mr. Vandeventer moved that the amendment be laid on the table; and the question being taken thereon, it was decided in the negative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Forman, Johnson, Leviston, Minard, Powers, Ruggles, Ryan, G. Smith, Thompson and Vandeventer—10.

Those voting in the negative, are,

Messrs. Allen, Boal, Buford, Catlin, Cavarly, Dougherty, Dunlap, Edwards, Harrison, Henry, Judd, Killpatrick, Markley, Matteson, McMurtry, Morrison, Nunnally, Parker, J. Smith, Warren, Waters, Wilbanks and Wynne—23.

Mr. Johnson moved that the bill and amendment be referred to the committee on Petitions.

Mr. McMurtry moved the previous question, and on the question: "Shall the main question be now put?" It was decided in the affirmative.

The question then being taken on the adoption of the amendment, it was decided in the affirmative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Buford, Cavarly, Dougherty, Dunlap, Edwards, Forman, Harrison, Judd, Killpatrick, Markley, Matteson, McMurtry, Morrison, Nunnally, Parker, J. Smith, Warren, Wilbanks and Wynne—20.

Those voting in the negative, are,

Messrs. Boal, Catlin, Henry, Johnson, Leviston, Minard, Powers, Ruggles, Ryan, G. Smith, Thompson, Vandeventer and Waters—13.

The question being taken: "Shall the bill pass as amended?" It was decided in the affirmative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Catlin, Cavarly, Dougherty, Dunlap, Forman, Henry, Johnson, Killpatrick, Leviston, Matteson, Minard, Morrison, Nunnally, Parker, Powers, Ryan, J. Smith, G. Smith and Wilbanks—21.

Those voting in the negative, are,

Messrs. Allen, Edwards, Harrison, Judd, Markley, McMurtry, Ruggles, Thompson, Vandeventer, Warren, Waters and Wynne—12.

Ordered, That the titles of said bills be respectively as aforesaid, and that the Secretary ask the concurrence of the House of Representatives in their passage.

The bill for "An act to amend 'An act relative to criminal jurisprudence,'" in force July 1st, 1833, was read a third time, and

On motion of Mr. Dougherty,

Laid on the table.

On motion,

The Senate adjourned.

WEDNESDAY, JANUARY 15, 1845.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Cloud, their Clerk:

Mr. Speaker: I am directed by the House of Representatives, to inform the Senate, that the House have concurred with the Senate in the passage of bills of the following titles, viz:

"An act for the relief of William Moss," and

"An act to amend 'An act in addition to 'An act to incorporate the town of Rock Island in Rock Island county.'"

The House have also concurred with the Senate in the adoption of their preamble and resolutions on the subject of the decisions of the Supreme court of the United States.

They have also concurred with the Senate in the adoption of their resolution appointing a joint select committee to investigate the report of the *ex officio* fund commissioner, and have appointed Messrs. Zieber, Anderson of Lawrence and Logan, the committee on the part of the House.

The House have passed bills of the following titles, viz:

"An act to incorporate Jubilee College."

"An act for the relief of the late collector of Montgomery county," in the passage of which two bills they ask the concurrence of the Senate.

Mr. Warren presented the petition of sundry citizens of Moultrie county, praying the passage of a law in relation to the debt of said county; which without reading was, on his motion, referred to the committee on Counties.

Mr. Judd presented the petition of J. Young Scammon and others, for the repeal of all laws which create any distinction between colored and white persons; which was read, and on his motion, referred to the committee on the Judiciary.

Mr. Davis presented the memorial of sundry citizens of Hancock and Adams counties, praying the investigation of the charges made by the Governor against the citizens of those counties, which without reading was, on his motion, referred to the committee on Military Affairs.

Mr. Constable presented the petition of S. Stewart, a citizen of Wabash county, in relation to his interest in the contract of Wilson & Co. and praying for the adjustment of the same; which was read, and on his motion, referred to the committee on Internal Improvements.

Mr. Dunlap presented the petition of the trustees of township three north, of range 13 west in Lawrence county, praying the passage of a law for the relief of said township; which was read, and,

On motion of Mr. Dunlap,

Referred to the committee on School Lands and Education.

Mr. Vandeventer presented the petition of Thomas Goodwin and others, praying for relief, &c., which was read, and on his motion, referred to a select committee.

Ordered, That Messrs. Vandeventer, Killpatrick and Forman be that committee.

Mr. Judd, from the committee on the judiciary, to which was referred

a bill from the House of Representatives, entitled "An act for the relief of John Walsh," reported the same back without amendment and recommended its passage.

Ordered to a third reading.

Mr. Vandeventer, from the committee on public roads, to which was referred a bill for "An act to relocate a part of the State road, leading from the town of Amity to the town of Highland," reported the same back to the Senate, without amendment.

Ordered, that said bill be engrossed for a third reading.

Mr. Markley, from the committee on Internal Navigation, to which was referred a bill from the House of Representatives for "An act to authorise Henry Dodd and George Early, to build a dam across Fox river in McHenry county," reported the same back without amendment.

Ordered, that said bill be read a third time.

Mr. Catlin, from the committee on elections, to which was referred a bill from the House of Representatives for "An act to amend 'An act directing the mode of electing electors for President and Vice President of the United States,'" approved Jan. 11, 1827, reported the same back with an amendment; which was concurred in, and the bill as amended,

Ordered to a third reading.

Mr. Cavarly, from the committee on the Judiciary, to which was referred a bill from the House of Representatives, for "An act providing as to the time when acts passed by the Legislature shall be in force," reported the same back without amendment.

Ordered, that the bill be read a third time.

Mr. Cavarly, from the same committee, to which was referred a bill from the House of Representatives, for "An act to amend 'An act for the speedy assignment of dower and partition of real estate,'" approved February 6, 1827, reported the same back without amendment.

Ordered, that the bill be read a third time.

Mr. Cavarly, from the same committee, to which was referred the petition of sundry citizens of this State, praying certain amendments to the law prohibiting trespass by cutting timber, reported the same back and were discharged from its further consideration.

On motion of Mr. Ruggles,

The petition was laid on the table.

Mr. Vandeventer, from the committee on Incorporations, to which was referred a bill entitled "An act to amend 'An act entitled 'An act to improve the navigation of the rapids in Rock river, at Rockford, in the county of Winnebago, and to incorporate the Rockford Hydraulic and Manufacturing company,'" approved February 28, 1843, reported the same back with an amendment; which was concurred in and said bill as amended,

Ordered to be engrossed for a third reading.

Mr. Allen, from the committee on the Judiciary, to which was referred a bill from the House of Representatives, entitled "An act to restore the records of Franklin county," reported the same back without amendment and recommended its passage.

Ordered to a third reading.

Mr. Markley, from the committee on public roads, to which was referred a bill from the House of Representatives, entitled "An act to lo.

cate a State road from Little Rock in Kane county to the steam mill bridge on the Des Plaines river in Cook county," reported the same back and recommended its passage.

Ordered to a third reading.

The bill entitled "An act to alter and amend the law concerning interest on money and usury," being under consideration,

Mr. Henry moved to amend the same by adding the following as a proviso:

"*Provided*, That when the parties expressly agree upon an amount of interest not exceeding ten per centum per annum it shall be legal, any thing in this act to the contrary notwithstanding, and the several courts in this State shall give judgment accordingly."

Mr. Johnson moved the previous question.

And on the question, "Shall the main question be now put?" It was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Catlin, Cavarly, Constable, Dunlap, Edwards, Fithian, Forman, Harris, Johnson, Leviston, Markley, Matteson, McMillan, McMurtry, Morrison, Parker, Ruggles, J. Smith, Thompson, Vandeventer, Warren, Waters and Wynne—25.

Those voting in the negative, are,

Messrs. Buford, Davis, Harrison, Henry, Judd, Killpatrick, Minard, Nunnally, Ryan, G. Smith, Webb, Wilbanks and Worthington—13.

Mr. Davis moved a call of the Senate; which proceeded some time and then,

On motion of Mr. Constable,

Was dispensed with.

The question being taken upon the adoption of the proposed proviso, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Davis, Edwards, Fithian, Harrison, Henry, Judd, Killpatrick, Matteson, Minard, Ryan, G. Smith and Worthington—14.

Those voting in the negative, are,

Messrs. Allen, Catlin, Cavarly, Constable, Dunlap, Forman, Harris, Johnson, Leviston, Markley, McMillan, McMurtry, Morrison, Nunnally, Parker, Ruggles, J. Smith, Thompson, Vandeventer, Warren, Waters, Webb, Wilbanks and Wynne—24.

The question then recurring upon concurring with the select committee of seven in their reported amendment, the same was put and decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Catlin, Cavarly, Constable, Dunlap, Forman, Harris, Henry, Johnson, Leviston, McMillan, McMurtry, Morrison, Nunnally, Parker, Ruggles, J. Smith, Thompson, Vandeventer, Warren, Waters and Wynne—22.

Those voting in the negative, are,

Messrs. Boal, Buford, Davis, Edwards, Fithian, Harrison, Judd, Killpatrick, Markley, Matteson, Minard, Ryan, G. Smith, Webb, Wilbanks and Worthington—16.

The question being taken, "Shall the bill pass as amended?" It was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Catlin, Cavarly, Constable, Dunlap, Forman, Harris, Henry, Johnson, Leviston, Markley, McMillan, McMurtry, Morrison, Nunnally, Parker, Ruggles, J. Smith, Thompson, Vandeventer, Warren, Waters, Webb, Wilbanks and Wynne—25.

Those voting in the negative, are,

Messrs. Boal, Buford, Davis, Edwards, Fithian, Harrison, Judd, Killpatrick, Matteson, Minard, Ryan, G. Smith and Worthington—13.

Ordered, That the title be as aforesaid, and that the Secretary ask the concurrence of the House of Representatives in the passage of said bill.

Mr. Davis, from the committee on Military Affairs, to which was referred certain resolutions in relation to the military academy at West Point, from the House of Representatives, reported the same back and recommended the rejection of the same.

On motion of Mr. Warren,

Said resolutions were laid on the table.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Forman introduced, on leave of the Senate, a bill entitled "An act to authorise the creation of additional election precincts in the various counties of this State; which was read, and

Ordered to a second reading.

On motion of Mr. Forman,

The rule was dispensed with, and said bill read a second time by its title, and

Referred to the committee on the Judiciary.

The orders of the day were taken up.

The bill entitled "An act for the relief of township 9, ranges 7 and 8, in Gallatin county," was read a third time, and

On motion of Mr. Cavarly,

Referred to the committee on School Lands and Education.

The bill entitled "An act to amend 'An act to incorporate the town of Winchester, in Scott county,'" was read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

On motion of Mr. Constable,

The order of business was suspended, and the bill for "An act to amend 'An act relative to criminal jurisprudence, in force July 1st, 1833,'" was taken from the table for consideration.

Mr. Judd moved a call of the Senate; which after some time, was,

On motion of Mr. Constable,

Dispensed with.

The question recurring, "Shall the bill pass?" It was decided in the affirmative.

Ordered, That the title be as aforesaid, and that the Secretary ask the concurrence of the House of Representatives in the passage of said bill.

A message from the House of Representatives, by Mr. Cloud, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform

the Senate, that they have adopted the following resolution, in which they ask the concurrence of the Senate:

Resolved by the House of Representatives, the Senate concurring herein, That the select committees of the two Houses, to whom were respectively referred, that portion of the communication of the Governor, *ex officio* fund commissioner, which relates to the claims of the State against John Delafield and John Tillson, Jr., be directed to join in their consideration of that subject, and report as a joint committee.

On motion of Mr. Cavarly,

The order of business was suspended, and the message from the House of Representatives just received, taken up and the resolution concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Warren moved that the order of business be further suspended, in order to take up for consideration the resolution proposing that the two Houses of the General Assembly, meet in the Hall of the House of Representatives on Saturday next, for the purpose of electing associate justices of the Supreme Court, and the question being taken thereon, it was decided in the negative.

The bill for "An act to amend 'An act entitled 'An act concerning public roads,' " was read a second time.

On motion of Mr. Vandeventer,

The bill was amended by adding to the last section the words "this act to be in force from and after its passage.

Mr. Vandeventer moved that the bill be referred to a select committee.

On motion of Mr. Ruggles,

The bill was referred to the committee on Public Roads.

The bill from the House of Representatives for "An act to authorise the school commissioner of Morgan county to pay certain money," was read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the concurrence of the Senate.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Allen moved a call of the Senate, and the call having proceeded some time, was,

On motion of Mr. Nunnally,

Dispensed with.

Mr. Speaker laid before the Senate, a communication from Nimrod Dorsey, containing proposals for the leasing of the penitentiary; which was read, and

On motion of Mr. Nunnally,

Referred to the committee on the Penitentiary.

The bills from the House of Representatives, entitled "An act requiring county orders to be countersigned by county treasurers," and

"An act to amend 'An act exempting certain articles from execution;'" were severally read a third time and passed.

Ordered, That the titles be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Bills from the House of Representatives on their first reading:

The bills entitled "An act for the relief of the late collector of Montgomery county;" and

"An act entitled 'An act for the further restriction of imprisonment for debt;'" were severally read, and

Ordered to a second reading.

The bill entitled "An act to establish a State road from St. Marys in Jasper county, to Cumberland in Clark county," was read, and

Ordered to a second reading.

On motion of Mr. Parker,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Referred to a select committee.

Ordered, That Messrs. Parker, Dunlap and Nunnally be that committee.

The bill entitled "An act to incorporate Jubilee college," was read, and

Ordered to a second reading.

On motion of Mr. Thompson,

The rule was dispensed with, said bill read a second time by its title, and

Referred to the committee on Incorporations.

The bill entitled "An act to incorporate the Illinois Literary and Historical Society," was read, and

Ordered to a second reading.

On motion of Mr. G. Smith,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and

Referred to the committee on Incorporations.

The bill entitled "An act to amend 'An act relative to wills and testaments, executors and administrators, and the settlement of estates,'" was read, and

Ordered to a second reading.

On motion of Mr. Ruggles,

The rule of the Senate was dispensed with, said bill was read a second time by its title, and

Referred to the committee on the Judiciary.

Mr. Wynne, from the committee on enrolled bills, reported as correctly enrolled the bills entitled:

"An act to provide for the representation of counties therein named;"

"An act to legalize the acts of certain assessors in this State;"

"An act authorising the probate justice of the peace for Moultrie county, to hold his office at his residence;" and

"An act vacating part of a street in the town of St. Charles, in Kane county;" and that said bills have this day been laid before the Council of Revision.

The memorial and resolutions from the House of Representatives on

the subject of relief to the sufferers by the late flood in the Mississippi, Illinois and Wabash rivers, were read and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

The resolutions offered by Mr. Vandeventer, proposing that the General Assembly will receive no new business after the 15th inst., and that they adjourn *sine die*, on Monday the 10th day of February next, and that the standing hour of adjournment for the Senate shall be half past 9 o'clock, A. M., coming up for consideration,

Mr. McMurtry moved that said resolutions be laid on the table, and the question being taken on said motion, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Forman, Harrison, Killpatrick, McMurtry, Minard, Parker, Ruggles, G. Smith, Thompson and Worthington—11.

Those voting in the negative, are,

Messrs. Allen, Catlin, Cavarly, Constable, Dougherty, Dunlap, Edwards, Fithian, Harris, Henry, Johnson, Judd, Leviston, Matteson, Morrison, Nunnally, Ryan, J. Smith, Vandeventer, Warren, Waters, Wilbanks and Wynne—22.

Mr. Harris called for a division of the question upon the adoption of said resolutions.

Mr. Vandeventer moved to amend the first named resolution by striking out "15th" and inserting instead "25th;" which amendment was,

On motion of Mr. McMurtry,

Laid on the table.

Mr. Johnson moved that the resolutions be referred to the committee on Finance.

Mr. Dougherty moved that the motion for reference be laid on the table, and the question being taken thereon, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Catlin, Cavarly, Constable, Dougherty, Dunlap, Edwards, Fithian, Forman, Harris, Henry, Killpatrick, Leviston, Markley, Matteson, McMurtry, Minard, Morrison, Nunnally, Parker, Ruggles, Ryan, J. Smith, Thompson, Warren, Wilbanks and Wynne—27.

Those voting in the negative, are,

Messrs. Boal, Harrison, Johnson, Judd, G. Smith, Vandeventer, Waters and Worthington—8.

Mr. Henry moved that the resolutions be laid on the table until the 25th January inst.; and the question being taken thereon, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Judd, Markley, Ruggles, J. Smith, G. Smith and Worthington—6.

Those voting in the negative, are,

Messrs. Allen, Boal, Catlin, Cavarly, Constable, Dougherty, Dunlap, Edwards, Fithian, Forman, Harris, Harrison, Henry, Johnson, Killpatrick, Leviston, Matteson, McMurtry, Minard, Morrison, Nunnally, Parker, Ryan, Thompson, Vandeventer, Warren, Waters, Wilbanks and Wynne—29.

Mr. Fithian moved that the first resolution be amended by striking out "15" and inserting "20."

Mr. McMurtry moved the previous question.

On the question, "Shall the main question be now put?" It was decided in the affirmative.

The question being then put upon the motion to strike out "15" and insert "20," it was decided in the negative, by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Dougherty, Fithian, Johnson, Leviston, Markley, Matteson, McMillan, Minard, Morrison, Parker, J. Smith, Thompson, Waters and Worthington—16.

Those voting in the negative, are,

Messrs. Catlin, Cavarly, Constable, Dunlap, Edwards, Forman, Harris, Harrison, Henry, Judd, Killpatrick, McMurtry, Nunnally, Ruggles, Ryan, G. Smith, Vandeventer, Warren, Wilbanks and Wynne—20.

The question recurring upon the adoption of the first of said resolutions it was put, and decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Catlin, Cavarly, Constable, Dougherty, Dunlap, Edwards, Fithian, Forman, Harris, Harrison, Johnson, Judd, Killpatrick, Leviston, Matteson, McMillan, McMurtry, Morrison, Nunnally, Parker, Ruggles, Ryan, J. Smith, Thompson, Vandeventer, Warren, Waters, Wilbanks and Wynne—31.

Those voting in the negative, are,

Messrs. Henry, Markley, Minard, G. Smith, and Worthington—5.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

The question being then taken on the adoption of the second resolution, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Catlin, Constable, Dougherty, Dunlap, Fithian, Forman, Johnson, Judd, Leviston, Markley, Matteson, Minard, Morrison, Nunnally, Parker, Ryan, J. Smith, Vandeventer, Warren, Waters, and Wilbanks—23.

Those voting in the negative, are,

Messrs. Cavarly, Edwards, Harris, Harrison, Henry, Killpatrick, McMillan, McMurtry, Ruggles, G. Smith, Thompson, Worthington and Wynne—13.

The resolution offered by Mr. Matteson, on the 2d inst. instructing the committee on Finance to report a bill directing the Auditor in relation to sales of lands for taxes, coming up for consideration,

On motion of Mr. Cavarly,

The same was amended so as to make it a resolution, instructing said committee to inquire into the expediency of reporting such bill.

The question being taken on the adoption of the resolution as amended, it was decided in the affirmative.

The resolution offered by Mr. Edwards, instructing the committee on Finance to inquire into the expediency of making certain specific amendments of the revenue law, was read and adopted.

The resolution offered by Mr. Boal, instructing the committee on the

Judiciary to inquire into the expediency of providing for the legalization of certain records, &c., was read and adopted.

The resolution offered by Mr. Nunnally, in relation to changes of venue in criminal cases, before justices of the peace, &c., was read and adopted.

The resolution offered by Mr. Boal, instructing the committee on Finance to make inquiry in relation to the collection of debts due counties, &c., was read and adopted.

The resolution offered by Mr. Wilbanks, instructing the committee on Retrenchment to inquire into the expediency of repealing so much of the law as requires the Governor to appoint bank commissioners, was read and adopted.

The resolution offered by Mr. Nunnally, in relation to the reduction of the expenses of taking the census of this State, was read and adopted.

The resolution offered by Mr. Harris, restricting the number of copies to be printed of the school memorial, was,

On motion of Mr. Harris,

Laid on the table.

The resolution offered by Mr. Johnson, directing the Governor not to receive the State bonds, except upon certain terms from the bank of Illinois; which bonds were sold by McAlister & Stebbins, was read, and

On motion of Mr. Henry,

Referred to the committee on Internal Improvements.

The resolution offered by Mr. Davis, requesting the Treasurer to inform the Senate of the amount of State bonds, internal improvement scrip, canal scrip, &c., now in the treasury, &c., was read, and

On motion of Mr. Cavarly,

Amended by adding to it the words "and also to report on what account said scrip or bonds have been received."

The resolution as amended, was then adopted.

The resolution offered by Mr. G. Smith, providing for the appointment of a joint select committee of three on the part of the Senate, and three on the part of the House of Representatives, to inquire into and report to each House the earliest practicable period when the labors of the present General Assembly may be brought to a close, was read and adopted.

Ordered, That Messrs. G. Smith, Matteson and Cavarly be the committee on the part of the Senate.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

The resolution offered by Mr. Warren, proposing that the two Houses of the General Assembly meet in the Hall of the House of Representatives, on Saturday the 18th inst., at 2 o'clock, P. M., for the purpose of electing three associate justices of the Supreme Court, was read.

Mr. Markley moved a call of the Senate; and

During the pendency of the call,

Mr. Matteson, on leave, introduced a bill entitled "An act to liquidate the State debt;" which was read, and

Ordered to a second reading.

On motion of Mr. Matteson,

The rule was dispensed with, said bill read a second time by its title, and

Referred to the committee on Finance.

Mr. Forman, on leave, introduced a bill entitled "An act for the re-annexation of Texas;" which was read, and

Ordered to a second reading.

On motion of Mr. Forman,

The rule was dispensed with, said bill read a second time by its title, and

Referred to the committee on the Judiciary.

Mr. Edwards, on leave, presented a proposition from Wm. McDonald and Thomas J. Burnes, in relation to the completion of the State House; which was read, and on his motion, referred to the committee on Public Accounts and Expenditures.

Mr. Constable, on leave given, introduced a bill entitled "An act to authorise the payment to William Hall of certain moneys due him from the State of Illinois;" which was read, and

Ordered to a second reading.

Mr. Judd, on leave, introduced a bill entitled "An act to amend 'An act to provide for the donation of lots in towns situated on canal lands to public purposes;' " which was read, and

Ordered to a second reading.

On motion of Mr. Judd,

The rule was dispensed with, said bill read a second time by its title, and

Referred to the committee on Canals and Canal Lands.

Mr. Forman, on leave, introduced bills entitled "An act to authorise William Fomster and Abraham Howard to build a mill dam across the Kaskaskia river;"

"An act for certain purposes therein named;" and

"An act to incorporate the town of Tentopolis in the county of Effingham;" which were severally read, and

Ordered to a second reading.

On motion of Mr. Forman,

The rule was dispensed with, said bills severally read a second time by their titles, and

Referred to the committee on the Judiciary.

On motion of Mr. Harris,

The further call of the Senate was dispensed with.

The question then being on the adoption of the resolution, in relation to the election of judges,

Mr. McMurtry moved a call of the Senate;

During the pendency of the call,

Mr. Harris, on leave, introduced a bill entitled "An act to incorporate the town of Oceola;" which was read, and

Ordered to a second reading.

Mr. Cavarly, on leave, introduced the following bills:

"An act to amend 'An act to establish circuit courts;'"

"An act for the relief of David Pinkerton, late collector of Greene county;" and

"An act to limit the time of the offices of clerks of the county com-

missioners' courts and recorders to two years;" which were severally read, and

Ordered to a second reading.

Mr. Johnson, on leave, introduced bills entitled "An act for particular purposes;" and

"An act to encourage the growing of wool in this State;" which were severally read, and

Ordered to a second reading.

Mr. Vandeventer, on leave, introduced bills entitled "An act declaring Camp creek in Brown county a navigable stream;" and

"An act for certain purposes therein named;" which were severally read, and

Ordered to a second reading.

Mr. Ruggles, on leave, introduced bills entitled "An act to locate a State road therein named;" and

"An act to provide for the improvement of Rock river;" which were severally read, and

Ordered to a second reading.

Mr. Worthington, on leave, introduced a bill entitled "An act to provide for re-occupation of the Territory of Oregon;" which was read, and

Ordered to a second reading.

Mr. Markley, on leave given, introduced bills entitled "An act to remove the seat of government from Springfield to the city of Peoria;" and

"An act in relation to the county of Fulton;" which were severally read, and

Ordered to a second reading.

Mr. Boal, on leave, introduced a bill entitled "An act to authorise the county of Marshall to transcribe records from Putnam county;" which was read, and

Ordered to a second reading.

Mr. Dougherty, on leave, introduced bills entitled "An act to authorise William Clapp and John Hodges, to collect certain taxes;" and

"An act concerning fees;" which were severally read, and

Ordered to a second reading.

Mr. Thompson, on leave, introduced bills entitled "An act to incorporate the town of Kickapoo in Peoria county;" and

"An act for the equalization of taxes;" which were severally read, and

Ordered to a second reading.

Mr. Constable, on leave, introduced a bill entitled "An act to guard against the baneful influence of party spirit;" which was read, and

Ordered to a second reading.

On motion of Mr. Ryan,

The further call of the Senate was dispensed with.

And the question then being taken on the adoption of said resolution, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Constable, Davis, Dunlap, Fithian, Harris, Judd, Leviston, Markley, Matteson, Minard, Morrison, Ruggles, Ryan, J. Smith, Thompson, Vandeventer Warren, Wilbanks and Wynne—19.

Those voting in the negative, are,

Messrs. Allen, Boal, Buford, Cavarly, Dougherty, Edwards, Forman, Henry, Johnson, Killpatrick, McMillan, McMurtry, Parker, G. Smith, Waters, Webb and Worthington—17.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Killpatrick, on leave, introduced bills entitled "An act to pay the State debt;" and

"An act to encourage emigration to Oregon;" which were severally read, and

Ordered to a second reading.

On motion,

The Senate adjourned.

THURSDAY, JANUARY 16, 1845.

Senate met pursuant to adjournment.

Mr. Harris moved a call of the Senate, which having proceeded some time.

On motion of Mr. Harris,

Was dispensed with,

Mr. Forman moved that the names of the absent Senators at the time of the ordering of the call be placed on the journal; which was agreed to.

The names of the absent Senators, were as follows:

Messrs. Allen, Boal, Buford, Catlin, Cavarly, Constable, Crain, Davis, Dougherty, Dunlap, Fithian, Forman, Harrison, Henry, Judd, Killpatrick, Leviston, Markley, Matteson, McMillan, McMurtry, Morrison, Nunnally, Parker, Ruggles, Ryan, J. Smith, G. Smith, Thompson, Vandeventer, Waters, Webb and Worthington.

Mr. Buford presented the petition of William E. Franklin, praying for a law legalizing the proceeding of the Notary Public, of Rock Island county;" which without reading was, on his motion, referred to the committee on the Judiciary.

Mr. Matteson presented the petition of sundry persons, in the town of Plainfield, Will county, asking to have the public square of said town re-located; which without reading was, on his motion, referred to the committee on Incorporations.

Mr. Cavarly moved the adoption of the following order, to wit:

Ordered, That the resolution adopted on yesterday changing the hour of adjournment to half past nine o'clock, A. M., be rescinded.

And the question being taken upon the adoption of said order, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Cavarly, Constable, Edwards, Forman, Harris, Harrison, Henry, Johnson, Judd, Killpatrick, McMurtry, Minard, Morrison, Ruggles, Ryan, J. Smith, G. Smith, Thompson, Webb, Worthington and Wynne—23.

Those voting in the negative, are,

Messrs. Allen, Dunlap, Fithian, Leviston, Markley, Matteson, Nunnally, Parker, Vandeventer, Warren, Waters and Wilbanks—12.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have adopted the accompanying preamble and resolution, proposing to direct the Attorney General to prepare a written argument in the case of the people of the State of Illinois against Richard Eels, indicted and convicted for harboring and secreting negro slaves, &c.,

In the adoption of which they ask the concurrence of the Senate.

On motion of Mr. Forman,

The message from the House of Representatives just received, containing the preamble and resolution in relation to the case of Richard Eels, &c., was taken up; said preamble and resolution severally read, and

On motion of Mr. Forman,

Referred to the committee on the Judiciary.

Mr. Markley from the committee on Public Roads, to which was referred a bill from the House of Representatives entitled "An act to locate a State Road herein named," reported the same back without amendment, and recommended its passage; said bill was

Ordered to be read a third time.

Mr. Parker from the select committee, to which was referred a bill from the House of Representatives, entitled "An act to establish a State road from St. Mary's in Jasper county, to Cumberland in Clark county," reported the same back without amendment, and recommended its passage; said bill was

Ordered to a third reading.

Mr. Minard, on leave, introduced a bill for "An act to incorporate the Batavia Cemetery Association;" which was read, and

Ordered to a second reading.

On motion of Mr. Minard,

The rule was dispensed with, said bill read a second time by its title, and referred to the committee on Incorporations.

Mr. Judd, on leave, introduced a bill for "An act in relation to the arrest of persons upon civil process;" which was read, and

Ordered to a second reading.

On motion of Mr. Judd,

The rule was dispensed with, said bill read a second time by its title, and referred to the committee on the Judiciary.

Mr. Warren, on leave, introduced a bill for "An act to clean out all the rivers in this State;" which was read, and

Ordered to a second reading.

On motion of Mr. Warren,

The rule was dispensed with, said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Warren, Waters and Wynne be that committee.

The orders of the day were taken up.

The bills entitled "An act to relocate a part of the State road leading from the town of Amity to the town of Highland;" and

"An act to amend an act entitled an act to improve the navigation of the Rapids in Rock river, at Rockford, in the county of Winnebago, and to incorporate the Rockford Hydraulic and Manufacturing company," approved February 28th, 1843; were severally read a third time and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bills.

Senate bills on their second reading:

The bill for "An act to incorporate the town of Oceola," was read a second time, and

On motion of Mr. Harris,

Referred to the committee on Petitions.

The bill for "An act to remove the seat of government from Springfield, to the city of Peoria," was read a second time, and

On motion of Mr. Dougherty,

Referred to the committee on Internal Navigation.

The bill for "An act to locate a State road therein named," was read a second time, and

On motion of Mr. Ruggles,

Referred to the committee on Public Roads.

The bill for "An act to provide for the improvement of Rock river," was read a second time, and

On motion of Mr. Ruggles,

Referred to a select committee.

Ordered, That Messrs. Ruggles, Harrison and McMurtry be that committee.

The bill for "An act to provide for the re-occupation of the Territory of Oregon," was read a second time, and

On motion of Mr. Worthington,

Referred to a select committee.

Ordered, That Messrs. Worthington, J. Smith and Cavarly be that committee.

The bills entitled "An act for the relief of David Pinkerton, late collector of Greene county;"

"An act to amend an act to establish Circuit Courts;"

"An act to guard against the baneful influences of party spirit;"

"An act to limit the tenure of the offices of Clerk of the county commissioners' courts, and Recorders to two years;"

"An act to authorize the payment to William Hall, of certain moneys due him from the State of Illinois;"

"An act to authorize William Clapp and John Hodges to collect certain taxes;" and

"An act concerning fees," were severally read a second time, and on motion, referred to the committee on the Judiciary.

The bills entitled "An act declaring Camp creek in Brown county a navigable stream;"

"An act for particular purposes;"

"An act for certain purposes therein named;" and

"An act to incorporate the town of Kickapoo, in Peoria county," were severally read a second time, and on motion, referred to the committee on Incorporations.

The bills entitled "An act to encourage the growing of wool in this State;" and

"An act for the equalization of taxes," were severally read a second time, and on motion, referred to the committee on Finance.

The bill for "An act in relation to the county of Fulton," was read a second time, and

On motion of Mr. Markley,

Referred to a select committee.

Ordered, That Messrs. Markley, Thompson and Vandeventer be that committee.

Bills for "An act to pay the State debt;" and

"An act to encourage emigration to Oregon," were severally read a second time, and

On motion of Mr. Killpatrick,

Referred to a select committee.

Ordered, That Messrs. Killpatrick, McMurtry and Thompson be that committee.

The bill for "An act to authorize the county of Marshall, to transcribe records from Putnam county," was read a second time, and

Ordered to be engrossed for a third reading.

Mr. Vandeventer, on leave, from the committee on Incorporations, to which was referred a petition, reported a bill for "An act to relocate the public square in the town of Plainfield, Will county, State of Illinois;" which was read, and

Ordered to a second reading.

On motion of Mr. Vandeventer,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed for a third reading.

On motion of Mr. Matteson,

The rule was further dispensed with, said bill read a third time, and passed.

Ordered, That the title be as aforesaid, and that the Secretary ask the concurrence of the House of Representatives in the passage of said bill.

On motion,

The Senate adjourned.

FRIDAY, JANUARY 17, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Dresser.

Mr. Boal presented the petition of Jesse Sawyer and others, citizens of Marshall county, praying a change in the proceedings of our courts, and the banishment of the common law of England therefrom; which was read, and on his motion, referred to the committee on the Judiciary,

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have adopted the accompanying preamble and resolutions, having for their object a revision and republication of the laws of this State of a general nature, &c.

In the adoption of which the House of Representatives ask the concurrence of the Senate.

Mr. J. Smith presented the petition of sundry citizens of Marquette county, praying additional territory to be added to said county, from the

east side of the county of Adams; which without reading was, on his motion referred to the same select committee, to which other petitions on the same subject were heretofore referred.

Mr. Wynne presented the petition of 69 citizens of Mason county, praying the establishment of a ferry across the Illinois river; which without reading was, on his motion, referred to a select committee.

Ordered, That Messrs. Wynne, Thompson and Markley be that committee.

Mr. Speaker laid before the Senate a communication from the Auditor of Public Accounts, in relation to suits against delinquent collectors; which was read, and

On motion of Mr. Cavarly,

Referred to the committee on Finance.

Mr. Vandeventer, from the committee on Incorporations, to which was referred a bill from the House of Representatives entitled "An act to incorporate the Illinois Literary and Historical society," reported the same back without amendment; said bill was

Ordered to a third reading.

Mr. Allen, from the committee on Incorporations, to which was referred a petition of the citizens of Golconda, in Pope county, reported a bill entitled "An act to incorporate the town of Golconda;" which was read, and

Ordered to a second reading.

On motion of Mr. Waters,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed for a third reading.

On motion of Mr. Dougherty,

The vote just taken on ordering to a third reading, the bill from the House of Representatives entitled "An act to incorporate the Illinois Literary and Historical Society," was reconsidered, and on his further motion, said bill was referred to a select committee.

Ordered, That Messrs. Dougherty, G. Smith and Catlin be that committee.

Mr. Vandeventer, from the committee on Incorporations, to which was referred the bill from the House of Representatives entitled "An act to incorporate the Jubilee College," reported the same back without amendment; said bill was

Ordered to a third reading.

Mr. Wynne, from the committee on Enrolled Bills, reported as correctly enrolled the bills entitled "An act to amend, and in addition to an act to incorporate the town of Rock Island, in Rock Island county;" and "An act for the relief of William Moss."

And that said bills have this day been laid before the Council of Revision.

Also as correctly enrolled, "A preamble and resolutions on the subject of the decisions of the United States Supreme Court."

Mr. Ryan, from the committee on Canal and Canal Lands, to which was referred a bill for "An act to amend 'An act to provide for the donation of lots in towns situated on canal lands to public purposes,'" reported the same back to the Senate without amendment.

Ordered that the bill be engrossed for a third reading.

Mr. Vandeventer, from the committee on Incorporations, to which was referred a bill for "An act to incorporate the Batavia Cemetery Association," reported the same back without amendment.

Ordered, that the bill be engrossed for a third reading.

On motion of Mr. Worthington,

The vote taken on yesterday, on the passage of a bill for "An act to relocate the public square, in the town of Plainfield, Will county, State of Illinois," was re-considered, and the bill,

On motion of Mr. Matteson,

Referred to the committee on Incorporations.

Mr. Speaker laid before the Senate a communication from the Auditor of Public Accounts, made in obedience to a resolution directing the Auditor to report what amount would be added to the State revenue, upon the condition that the Legislature at its present session should take the land tax from the counties; which was read.

Mr. Cavarly moved that the communication be laid on the table, and 2000 copies thereof printed for the use of the General Assembly.

On motion of Mr. Boal,

The same was laid on the table, and 5000 copies ordered to be printed for the use of the General Assembly.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Speaker also laid before the Senate a communication from the Treasurer, in answer to a resolution of the Senate, calling for information as to the amount of State Bonds, Internal Improvement and Canal Scrip, and other funds now in the Treasury, &c.; which communication was read, and

On motion of Mr. Cavarly,

Laid on the table.

Mr. Matteson, from the committee on Finance, to which was referred the bill entitled "An act for the relief of John Cooper, collector of revenue for Madison county, for the year 1841," reported the same back without amendment; said bill was

Ordered to be engrossed and read a third time.

Mr. Davis, from the committee on the Judiciary, to which was referred a bill for "An act to authorize Hannah G. Sharp to keep and maintain a ferry across the Mississippi river," reported the same back with two amendments.

Mr. Davis called for a division:

The question then being taken on concurring with said committee in their first amendment, proposing to strike out the fourth section after the word "river," in the ninth line, and insert; it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Buford, Cavarly, Constable, Davis, Dougherty, Dunlap, Edwards, Harrison, Henry, Johnson, Judd, Killpatrick, Leviston, Matteson, McMillan, Morrison, Ryan, J. Smith, Thompson, Warren, Waters, Webb, Wilbanks, Worthington and Wyune—27.

Those voting in the negative, are,

Messrs. Catlin, Forman, Harris, Markley, McMurtry, Minard, Nunnally, Parker, Ruggles, G. Smith and Vandeventer—11.

On motion of Mr. Davis,

The second proposed amendment of the committee was amended by striking out "15," and inserting "20;" the amendment as amended concurred in.

Ordered, That the bill, as amended, be engrossed for a third reading.

Mr. Thompson, from the committee on School Lands and Education, to which was referred a bill for "An act for the relief of townships nine, in ranges seven and eight, in Gallatin county," reported the same back without amendment.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Harris moved a call of the Senate, which proceeded some time, and was,

On motion of Mr. Parker,

Dispensed with.

The question pending at the adjournment being upon the passage of the bill for "An act for the relief of townships nine, in ranges seven and eight, in Gallatin county."

Mr. Cavarly moved that the bill be referred to the committee on Salines and Saline Lands with instructions: "to ascertain the amount of moneys received from the sales of the Gallatin county Saline Lands, and how the moneys arising therefrom has been disposed of."

On motion of Mr. Constable,

The bill and motion to refer with instructions were laid on the table.

A message from the House of Representatives, by Mr. Cloud, their Clerk:

Mr. Speaker: I am directed by the House of Representatives, to inform the Senate that they have adopted the following resolution, viz:

Resolved, by the House of Representatives, the Senate concurring herein, That the joint select committee raised to examine the executive offices be clothed with power to send for persons and papers, and to swear witnesses in aid of their investigation.

In the adoption of which they ask the concurrence of the Senate.

On motion of Mr. Forman,

The order of business was suspended, and the message just received taken up, and the resolution concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion of Mr. Davis,

The vote taken this morning on ordering to be engrossed for a third reading, the bill for "An act to authorize Hannah G. Sharp, to keep and maintain a ferry across the Mississippi river," was reconsidered, and the bill

On motion of Mr. Davis,

Referred to the committee on the Judiciary.

Mr. Harris, from the select committee, to which was referred the bill

for "An act concerning estrays," reported the same back with an amendment.

On motion of Mr. Constable,

The same were laid on the table.

Mr. Nunnally offered for adoption the following preamble and resolution; which lie on the table:

Whereas: It is believed by some legal gentlemen, that should the Penitentiary be leased for current funds, that it would be doubtful whether a contract could be made to prevent the lessee from presenting State indebtedness as a set-off against such current funds; Therefore,

Resolved, That the committee on Finance, be requested to inquire into the expediency of leasing the Penitentiary for State indebtedness, for the purpose of obviating any misunderstanding that might ultimately arise; and that they report by bill or otherwise.

Mr. Constable offered for adoption the following resolution, and the rule having been suspended, the same was considered and adopted:

Resolved, That the Sergeant-at-Arms be instructed to procure a full set of the laws and reports of this State, from the office of the Secretary of State, to be deposited at the Clerk's desk for the use of the Senate.

Mr. Markley offered for adoption the following resolution, and the rule having been suspended, the same was considered and adopted:

Resolved by the Senate, the House of Representatives concurring herein, That all petitions in relation to roads be referred to the committee on roads, and that such committees be instructed to appoint a joint sub-committee for the purpose of condensing the several bills which the committees have agreed to report in one act.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Fithian, on leave, introduced a bill for "An act to fix the salaries, fees and compensation of all the officers of State and other persons, and to reduce the present salaries, fees, and compensation at the rate of twenty-five per centum;" which was,

On motion of Mr. Fithian,

Read a first and second time by its title, and referred to the select committee, to which was referred a bill of a similar character.

The bill for "An act to authorize the county of Marshall to transcribe records from Putnam county," was read a third time and passed.

Bills from the House of Representatives on their third reading.

The bills entitled "An act to amend an act directing the mode of electing electors for President and Vice President of the United States," approved February 11, 1827, as amended by the Senate;

"An act to locate a State road from Little Rock in Kane county, to the Steam-mill bridge on the Des Plaines river, in Cook county;"

"An act for the relief of John Walsh;"

"An act to amend an act for the speedy assignment of dower, and partition of real estate;" approved February 6, 1827.

"An act to locate a State road herein named;"

"An act to establish a State road from St. Mary's, in Jasper county, to Cumberland, in Clark county;"

"An act to restore the records of Franklin county;" and

"An act to authorize Henry Dodd and George Early to build a dam

across Fox river, in McHenry county;" were severally read a third time and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendment to the first named bill.

The bill entitled "An act providing as to the time when acts passed by the Legislature shall be in force," was read a third time, and

On motion of Mr. McMurtry,

Laid on the table.

The bill entitled "An act for the relief of the late collector of Montgomery county," was read a second time.

Mr. Parker moved to refer said bill to the committee on Finance, which was not agreed to.

Ordered that the bill be read a third time.

On motion of Mr. Edwards,

The rule was dispensed with, said bill read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill entitled "An act for the further restriction of imprisonment for debt," was read a second time, and

On motion of Mr. McMurtry,

Referred to the committee on the Judiciary.

A message from the Council of Revision, by Mr. Hawley, their Secretary:

Mr. Speaker: I am directed to say that the Council of Revision has approved bills of the following titles, to wit:

"An act to legalize the acts of certain assessors in this State;"

"An act to provide for the representation of certain counties therein named;"

"An act authorizing the probate Justice of the peace for Moultrie county, to hold his office at his residence;"

"An act for the relief of William Moss;"

"An act to amend, and in addition to 'An act to incorporate the town of Rock Island, in Rock Island county.'"

The preamble and resolutions from the House of Representatives, in relation to a revision of the laws at the present session of the General Assembly coming up for consideration, the same were read.

Mr. Webb moved that the preamble and resolutions be referred to the committee on the Judiciary.

Mr. Constable moved the previous question:

And on the question: "Shall the main question be now put?" It was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Catlin, Cavarly, Constable, Dunlap, Markley, M'Millan, M'Murtry, Minard, Morrison, Nunnally, Vandeventer, Warren and Wynne—13.

Those voting in the negative, are,

Messrs. Allen, Boal, Dougherty, Edwards, Fithian, Forman, Harris, Harrison, Henry, Johnson, Judd, Leviston, Matteson, Parker, Ruggles, J. Smith, G. Smith, Waters, Webb, Wilbanks and Worthington—21.

On motion,

The Senate adjourned.

SATURDAY, JANUARY 18, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Hale.

A message from the House of Representatives by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have adopted the accompanying memorial to the Congress of the United States, praying the passage of a law granting a pension to Thomas Morgan, for services rendered, and wounds received, during the late war with Great Britain, &c.

In the adoption of which they ask the concurrence of the Senate.

Mr. Fithian presented the petition of G. Blair and others, praying for "An act regulating school district No. 5, in township 20 N. of range 11 W., in Vermilion county;" which without reading, was, on his motion, referred to the committee on School Lands and Education.

Mr. G. Smith presented the remonstrance of 203 citizens of Alton against the repeal of the city charter; which without reading, was, on his motion, referred to the committee on Incorporations.

Mr. Cavarly presented the petition and affidavit of David Pinkerton, praying relief for money stolen from him belonging to the State; which without reading, was, on his motion, referred to the committee on the Judiciary.

Mr. Allen presented the petition of Wilson Rea of Franklin county, praying to be enfranchised; which without reading, was, on his motion, referred to a select committee.

Ordered, That Messrs. Allen, Dougherty and Ruggles be that committee.

Mr. Vandeventer, from the committee on Incorporations, to which was referred the bill for "An act to relocate the public square in the town of Plainfield, Will county, State of Illinois, reported the same back with an amendment which was concurred in.

The bill having been read a third time on yesterday, the question was put, "Shall the bill as amended pass?" It was decided in the affirmative.

Ordered, That the title be as aforesaid, and that the Secretary ask the concurrence of the House of Representatives in the passage of said bill.

Mr. Edwards, from the committee on Internal Improvements, to which was referred a resolution on the subject of the reception by the Governor of the McAlister & Stebbins bonds from the bank of Illinois, reported the same back and the committee were discharged from its further consideration.

Mr. Dougherty moved that said resolution be amended by striking out all after the word "herein" and adding the following:

"And that the interest bonds hypothecated by Gen. John D. Whiteside, former Fund Commissioner to McAlister & Stebbins, will not be received in discharge of debts due or to become due to the State, or otherwise, than at the amount *pro rata*, received on them, that is, at twenty-six cents on the dollar; and that his Excellency, the Governor, is hereby authorised and permitted so to receive them, but not otherwise; and in no event shall any of the officers of this State issue Auditor's Warrants for the same,

or any part of the said interest bonds, any law to the contrary notwithstanding."

Mr. Cavarly moved that the resolution and proposed amendment be referred to the committee on the Judiciary, with instructions to report the same back to the Senate, on Monday morning next.

And the question being taken thereon, it was decided in the affirmative.

Mr. Davis, from the committee on the Judiciary, to which was referred the bill for "An act to authorise Hannah G. Sharp to keep and maintain a ferry across the Mississippi river;" reported the same back with an amendment; which was concurred in, and the bill as amended,

Ordered to be engrossed for a third reading.

Mr. Dougherty moved that the order of business be suspended, in order to take up the preamble and resolutions from the House of Representatives, in relation to a revision of the laws; which was not agreed to.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. McMurtry,

The orders of the day were taken up.

The question pending at the last adjournment, on yesterday, being upon a motion to refer to the committee on the Judiciary the preamble and resolutions in relation to a revision of the laws.

Mr. Webb withdrew that motion.

Mr. Webb moved to add the following to said resolutions:

Resolved further, That the committees on Finance of the two Houses acting jointly, forthwith report a bill providing means to pay the expense of said revision.

Mr. Cavarly moved that the additional resolution be laid on the table, and the question being taken thereon,

It was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Cavarly, Dougherty, Forman, Johnson, Judd, Leviston, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Nunnally, Parker, Ruggles, J. Smith, Thompson, Vandeventer, Warren and Wilbanks—21.

Those voting in the negative, are,

Messrs. Boal, Edwards, Fithian, Harrison, Henry, Killpatrick, G. Smith, Waters, Webb and Worthington—10.

Mr. Webb moved a call of the Senate; which having proceeded some time, Mr. Dougherty moved to dispense therewith, which was not agreed to.

During the pendency of the call, on leave, Mr. Killpatrick introduced a bill for "An act to provide for a new trial before justices of the peace, and for other purposes;" which was read, and

Ordered to a second reading.

On motion of Mr. Killpatrick,

The rule was dispensed with, said bill read a second time by its title, and

Referred to the committee on the Judiciary.

Mr. Edwards, on leave, introduced a bill for "An act to modify the charter of the city of Springfield;" which was read, and

Ordered to a second reading.

On motion of Mr. Edwards,

The rule was dispensed with, said bill read a second time by its title, and

Referred to a select committee.

Ordered, That Messrs. Edwards, Judd and Killpatrick be that committee.

Mr. Warren, on leave, introduced a bill for "An act to change the time of holding courts in the county of Shelby;" which was read, and

Ordered to a second reading.

On motion of Mr. Warren,

The rule was dispensed with, said bill read a second time by its title, and

On motion of Mr. Harris,

Referred to a select committee.

Ordered, That Messrs. Harris, Warren and Catlin be that committee.

On motion of Mr. McMurtry,

The further proceedings under the call were dispensed with.

And the question recurring on the adoption of the preamble and resolutions,

Mr. Edwards moved to amend the fifth resolution, by adding as follows: "Nor the compensation of Mr. Brayman to exceed the sum of five hundred dollars."

Mr. Dougherty moved to lay the proposed amendment on the table; which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Catlin, Cavarly, Davis, Dougherty, Dunlap, Harris, Johnson, Judd, Markley, Matteson, M'Millan, M'Murtry, Miuard, Morrison, Nunnally, J. Smith, Thompson, Vandeventer, Warren and Wynne—21.

Those voting in the negative, are,

Messrs. Boal, Buford, Edwards, Fithian, Forman, Harrison, Henry, Killpatrick, Leviston, Parker, Ruggles, Ryan, G. Smith, Waters, Webb, Wilbanks and Worthington—17.

Mr. Fithian moved to amend as follows:

"Strike out the fifth resolution relating to the appointment of clerks."

Also by adding the following resolution:

Resolved, That the printing, paper and binding for the above work shall be contracted for and let to the lowest responsible bidder, under such regulations as may be provided for by law.

Mr. McMurtry moved to lay the proposed amendments on the table.

Mr. Fithian called for a division of the question, and the question being first taken on laying the resolution on the table, it was decided in the negative by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Catlin, Cavarly, Davis, Dougherty, Dunlap, Forman,

Harris, Matteson, McMillan, McMurtry, Minard, Morrison, J. Smith, Vandeventer, Warren, Wilbanks and Wynne—18.

Those voting in the negative, are,

Messrs. Boal, Buford, Edwards, Fithian, Harrison, Henry, Johnson, Judd, Killpatrick, Leviston, Markley, Nunnally, Parker, Ruggles, Ryan, G. Smith, Thompson, Waters, Webb and Worthington—20.

Mr. Nunnally moved a re-consideration of the vote last given,

And the question being taken thereon, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Catlin, Cavarly, Davis, Dougherty, Dunlap, Forman, Harris, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Nunnally, Ruggles, J. Smith, Vandeventer, Warren, Wilbanks and Wynne—21.

Those voting in the negative, are,

Messrs. Boal, Buford, Edwards, Fithian, Harrison, Henry, Johnson, Judd, Killpatrick, Leviston, Parker, Ryan, G. Smith, Thompson, Waters, Webb and Worthington—17.

The question was then again taken on laying on the table the amendment being the resolution offered by Mr. Fithian, and decided by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Catlin, Cavarly, Davis, Dougherty, Dunlap, Forman, Harris, Matteson, McMillan, McMurtry, Minard, Nunnally, Ruggles, J. Smith, Vandeventer, Warren, Wilbanks and Wynne—19.

Those voting in the negative, are,

Messrs. Boal, Buford, Edwards, Fithian, Harrison, Henry, Johnson, Judd, Killpatrick, Leviston, Markley, Morrison, Parker, Ryan, G. Smith, Thompson, Waters, Webb and Worthington—19.

There being a tie, Mr. Speaker voted in the affirmative, so the additional resolution was laid on the table.

The question then being taken on laying on the table so much of said amendment as proposes to strike out all relating to the appointment of clerks, being the fifth of said resolutions, it was decided in the affirmative, by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Catlin, Cavarly, Davis, Dougherty, Dunlap, Forman, Harris, Johnson, Judd, Leviston, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Nunnally, Parker, Ruggles, J. Smith, Thompson, Vandeventer, Warren, Wilbanks and Wynne—26.

Those voting in the negative, are,

Messrs. Boal, Buford, Edwards, Fithian, Harrison, Henry, Killpatrick, Ryan, G. Smith, Waters, Webb and Worthington—12.

Mr. Forman moved that the preamble and resolutions be referred to the committee on the Judiciary.

Mr. McMurtry moved the previous question.

And on the question, "Shall the main question be now put?" It was decided in the affirmative.

Mr. Edwards moved a call of the Senate; which after some time was,

On motion of Mr. Parker,

Dispensed with.

The question then being put, "Will the Senate concur with the House of Representatives, in the adoption of said preamble and resolutions?" It was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Constable, Davis, Dougherty, Dunlap, Harris, Johnson, Judd, Markley, McMillan, McMurtry, Minard, Morrison, Nunnally, Rugles, J. Smith, Thompson, Vandeventer, Warren, Wilbanks and Wynne—21.

Those voting in the negative, are,

Messrs. Boal, Buford, Catlin, Edwards, Fithian, Forman, Harrison, Henry, Killpatrick, Leviston, Matteson, Parker, Ryan, G. Smith, Waters, Webb and Worthington—17.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion,

The Senate adjourned.

MONDAY, JANUARY 20, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Richmond.

Mr. Minard presented the petition of 130 voters of Batavia, Kane county, praying the passage of a law for revenue purposes, &c.; which without reading, was, on his motion, referred to the committee on Finance.

Mr. J. Smith presented the petition of sundry citizens of Adams county, praying to be attached to the county of Marquette; which without reading, was, on his motion, referred to the same select committee, to which was heretofore referred other petitions on the same subject.

Mr. McMillan presented the petition of 200 citizens of Henderson county, praying to amend the laws in relation to Sabbath breaking, &c.; which without reading, was, on his motion, referred to a select committee.

Ordered, That Messrs. McMillan, McMurtry and Buford be that committee.

Mr. Boal presented the petition of Hiram Atwood and others, inhabitants of township 12 north, of range 9 east of 4th principal meridian, in Marshall county, praying the passage of "An act to enable them to build a school house by taxation in district No. 2, in said township;" which without reading, was, on his motion, referred to the committee on School Lands and Education.

Mr. Nunnally presented the petition of 133 legal voters of Edgar county, asking the General Assembly to request the judges of the Supreme Court to resign their offices until their salaries can be regulated, &c.; which was read, and on his motion, referred to the committee on Retrenchment.

Mr. Webb presented the memorial of sundry citizens of Granville and vicinity, in White county, praying a reduction of the expenses of the State government; which was read, and on his motion, referred to the committee on Retrenchment.

Mr. Minard, from the committee on Retrenchment, to which was re-

ferred a petition of Thomas Vandever and others, praying a reduction of salaries and fees of officers, reported the same back and asked to be discharged from the further consideration thereof; which was agreed to, and

On motion of Mr. Markley,

Said petition was laid on the table.

Mr. Cavarly, from the committee on the Judiciary, to which was referred a resolution in relation to the reception by the Governor of the bonds hypothecated to McAlister & Stebbins, in part payment of the debt due from the bank of Illinois, together with the proposed amendment and instructions, reported the same back and were discharged from a further consideration of the same.

The question being on the adoption of the proposed amendment,

Mr. Cavarly proposed to amend the same by inserting after the word "dollars" the words "with six per cent. interest thereon from the 17th of June 1841;" which was accepted by the mover as a modification.

Mr. Killpatrick moved to further amend the proposed amendment by adding as follows:

"Provided nevertheless, The Governor is authorised to pay the agent of the stockholders of the bank of Illinois to the amount of said bonds so estimated, the said bank stock to be estimated as being worth twenty-six cents to the dollar."

Mr. Allen moved that the Senate adjourn until 2 o'clock: which was not agreed to.

On motion of Mr. Dougherty,

The proposed amendment to the amendment was laid on the table.

Mr. Davis moved to lay the proposed amendment on the table; which was decided in the negative, by yeas and nay, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Cavarly, Davis, Dunlap, Edwards, Fithian, Harrison, Henry, Killpatrick, Ruggles, Vandever and Webb—13.

Those voting in the negative, are,

Messrs. Allen, Catlin, Constable, Dougherty, Forman, Harris, Johnson, Judd, Leviston, Markley, Matteson, McMillan, Minard, Morrison, Nunnally, Parker, J. Smith, G. Smith, Thompson, Warren, Waters, Wilbanks and Worthington—23.

Mr. Cavarly moved to amend the proposed amendment by striking out the following from the same:

"And in no event shall any of the officers of this State issue Auditor's warrants for the same, or any part of the said interest bonds, any law to the contrary notwithstanding;" which was not agreed to.

And the question then being taken on the adoption of the proposed amendment, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Catlin, Constable, Dougherty, Forman, Harris, Johnson, Judd, Leviston, Markley, Matteson, McMillan, Minard, Morrison, Nunnally, Parker, J. Smith, G. Smith, Thompson, Warren, Waters, Wilbanks and Worthington—23.

Those voting in the negative, are,

Messrs. Boal, Buford, Cavarly, Davis, Dunlap, Edwards, Fithian,

Harrison, Henry, Killpatrick, Ruggles, Vandeventer and Webb—13.

And then the resolution as amended was adopted.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Minard, from the committee on Retrenchment, to which was referred a resolution in relation to the expediency of repealing the laws in relation to appointing bank commissioners, reported a bill entitled "An act to amend an act entitled 'An act to diminish the State debt and put the State bank into liquidation and to amend an act entitled 'An act to reduce the public debt one million of dollars and to put the bank of Illinois into liquidation;'" which was read, and

Ordered to a second reading.

On motion of Mr. Edwards,

The rule of the Senate was dispensed with, and said bill read a second time by its title.

Mr. Dougherty moved to refer said bill to the committee on the Judiciary; which was not agreed to.

Mr. Dougherty moved to lay said bill on the table; which was decided in the negative.

Mr. Dougherty moved to refer said bill to a select committee of five.

Mr. Parker moved the adoption of the following instructions:

"To inquire whether the bank commissioner of the bank of Illinois has properly discharged his duty, and make report at as early a day as practicable."

Mr. Forman moved that the motion to refer with instructions be laid on the table; which was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Catlin, Edwards, Forman, Harris, Harrison, Judd, Killpatrick, Markley, Matteson, McMillan, McMurtry, Minard, Vandeventer, Waters, Webb and Wilbanks—17.

Those voting in the negative, are,

Messrs. Allen, Buford, Cavarly, Constable, Dougherty, Dunlap, Henry, Johnson, Leviston, Morrison, Nunnally, Parker, Ryan, J. Smith, G. Smith, Thompson, Warren, Worthington and Wynne—19.

Mr. Dougherty moved to lay on the table the proposed instructions; which was not agreed to.

And the question being taken on the adoption of the proposed instructions, it was decided in the negative.

The question then being taken on referring said bill to a select committee, it was decided by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Buford, Catlin, Cavarly, Dougherty, Harris, Henry, Johnson, Morrison, Parker, Ryan, J. Smith, G. Smith, Thompson, Vandeventer, Warren, Worthington and Wynne—18.

Those voting in the negative, are,

Messrs. Boal, Constable, Dunlap, Edwards, Forman, Harrison, Judd, Killpatrick, Leviston, Markley, McMillan, McMurtry, Minard, Nunnally, Ruggles, Waters, Webb and Wilbanks—18.

There being a tie, Mr. Speaker voted in the negative.

So the motion to refer to a select committee was lost.

Mr. Leviston moved that the bill be amended by striking out the 3d section; which was,

On motion of Mr. Forman,

Laid on the table.

Mr. Dougherty moved that the bill be amended by striking out of it, so much as relates to the State's Attorney of the 3d judicial circuit; which was,

On motion of Mr. Constable,

Laid on the table.

Mr. Cavarly moved that the 3d section of the bill be amended by adding thereto the following:

"And that said attorneys shall not be compelled to give the bonds required in the said acts herein referred to."

Mr. Warren moved that said amendment be laid on the table; and the question being taken thereon, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Catlin, Constable, Dougherty, Dunlap, Edwards, Forman, Harris, Harrison, Henry, Johnson, Judd, Killpatrick, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Nunnally, Parker, J. Smith, Warren, Webb, Wilbanks and Worthington—26.

Those voting in the negative, are,

Messrs. Allen, Buford, Cavarly, Davis, Leviston, Ruggles, Ryan, G. Smith, Thompson, Vandeventer, Waters, and Wynne—12.

Ordered, That said bill be engrossed and read a third time.

A message from the House of Representatives by Mr. Boyakin, a member of the House:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have adopted the accompanying preamble and resolution abrogating the conditional contract between the Governor and James Dunlap, President of the bank of Illinois, and agent of the private stockholders of said bank.

In the adoption of which they ask the concurrence of the Senate.

Mr. Worthington, from the committee on Internal Navigation, to which was referred several petitions and remonstrances of the citizens of Rock Island county in relation to Wilson's Ferry, reported the same back and said committee were discharged from the further consideration of the subject.

On motion of Mr. Buford,

Said petitions and remonstrances were referred to a select committee.

Ordered, That Messrs. Buford, G. Smith and Ruggles be that committee.

Mr. Warren moved to suspend the order of business, and take up the message just received from the House of Representatives containing the preamble and resolutions abrogating the contract between the Governor

and the agent of the bank of Illinois; which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Catlin, Cavarly, Constable, Dougherty, Dunlap, Forman, Harris, Johnson, Judd, Leviston, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Nunnally, Parker, Ruggles, J. Smith, G. Smith, Thompson, Vandeventer, Warren, Waters, Wilbanks, Worthington and Wynne—28.

Those voting in the negative, are,

Messrs. Boal, Davis, Edwards, Harrison, Henry, Killpatrick, Ryan and Webb—8.

The preamble and resolutions being read, Mr. Warren moved the previous question.

And on the question, "Shall the main question now be put?" It was decided in the affirmative.

The question then being taken on concurring with the House of Representatives in the adoption of the preamble and resolutions, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Catlin, Cavarly, Constable, Dougherty, Dunlap, Forman, Harris, Johnson, Judd, Leviston, Markley, McMillan, McMurtry, Minard, Morrison, Nunnally, Parker, J. Smith, G. Smith, Thompson, Warren, Waters Wilbanks and Wynne—25.

Those voting in the negative, are,

Messrs. Boal, Buford, Davis, Edwards, Harrison, Henry, Killpatrick, Matteson, Ruggles, Ryan, Vandeventer and Webb—12.

Ordered, That the Secretary inform the House of Representative thereof.

Mr. Markley, from the select committee, to which was referred a petition of sundry citizens, praying to be attached to Fulton county, reported a bill entitled "An act to attach a strip of lost land to the counties of Fulton and Peoria;" which was read, and

Ordered to a second reading.

On motion of Mr. Markley,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Harris, from the select committee, to which was referred a bill entitled "An act to change the time of holding courts in the county of Shelby," reported the same back without amendment; said bill was

Ordered to be engrossed for a third reading.

Mr. Vandeventer, on leave, introduced a bill for "An act for the relief of Thomas S. Brockman, late collector of Brown county;" which was read, and

Ordered to a second reading.

On motion of Mr. Vandeventer,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Webb, on leave, introduced a bill for "An act authorising an ad-

ditional justice of the peace and constable in Grayville precinct in White county;" which was read, and

Ordered to a second reading.

On motion of Mr. Webb,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed for a third reading.

On motion of Mr. Webb,

The rule was further dispensed with, and said bill read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary ask the concurrence of the House of Representatives in the passage thereof.

On motion of Mr. Edwards,

The order of business was suspended, the rule was dispensed with, and the bill for "An act to amend an act entitled 'An act to diminish the State debt and put the State bank into liquidation; and to amend an act entitled 'An act reduce the public debt one million of dollars and to put the bank of Illinois into liquidation,' " was taken up, read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary ask the concurrence of the House of Representatives in the passage thereof.

On motion,

The Senate adjourned.

TUESDAY, JANUARY 21, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Bergen.

Mr. Davis presented the memorial of 300 citizens of Hancock county, praying an investigation of the charges made by the Governor of this State against the old citizens of that county; which without reading was, on his motion, referred to the committee on Military Affairs.

Mr. Boal presented the petition of Allen Hunter and others, in township twelve north, range nine east, of the fourth principal meridian, in Marshall county, against the passage of a law levying a tax upon the inhabitants; which without reading, was on his motion, referred to the committee on School Lands and Education.

Mr. Nunnally presented the petition of George H. Wood, executor of William Wood, deceased, asking the passage of a law authorizing him to convey a certain tract of land therein named; which without reading, was on his motion, referred to the committee on the Judiciary.

Mr. Nunnally presented the petition of Samuel Vance, asking for an act authorizing the Governor to make him a deed to lot number one, township 13 north, of range twelve west, containing one acre or more; which without reading, was,

On motion of Mr. Nunnally,

Referred to the committee on Internal Improvements.

Mr. Nunnally also presented the petition of Kelly R. Tucker, executor of G. Tumbleson, deceased, asking the passage of a special act, authorizing him to convey certain lands as therein mentioned; which without reading, was,

On motion of Mr. Nunnally,

Referred to the committee on the Judiciary.

Mr. Nunnally also presented the petition of 72 legal voters of Edgar county, in relation to the reduction of the expenses of the State Government; which was read, and on his motion, referred to the committee on Retrenchment.

Mr. Davis presented the petition of the "Green Plains minute men," praying a special act of the General Assembly, authorizing them to retain the arms drawn by them from the State; which was read, and on his motion, referred to the committee on Military Affairs.

Mr. Constable asked and obtained leave of absence for Mr. Fithian, for two weeks.

Mr. Forman, from the committee on the Judiciary, to which was referred the bill entitled "An act to provide for a new trial before justices of the peace and for other purposes," reported the same back, and were discharged from a further consideration of the said bill.

Mr. Warren moved to lay said bill on the table until the 4th day of July next; which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Crain, Dougherty, Edwards, Forman, Harris, Judd, Markley, Matteson, Minard, Nunnally, Parker, G. Smith, Vandeventer, Warren and Waters—16.

Those voting in the negative, are,

Messrs. Boal, Catlin, Cavarly, Constable, Davis, Dunlap, Henry, Johnson, Killpatrick, McMurtry, Morrison, Powers, Ruggles, J. Smith and Worthington—15.

Mr. Cavarly, from the same committee, to which was referred the preamble and resolution of the House of Representatives in relation to a proposed written argument by the Attorney General, in the case of the people against Richard Eels, reported the same back with an amendment.

Mr. Dougherty moved a call of the Senate; which having proceeded some time, was,

On motion of Mr. Vandeventer,

Dispensed with.

Mr. G. Smith moved that the preamble and resolution and the proposed amendment be laid on the table until the 4th day of July next; and the question being taken thereon, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Catlin, Crain, Dunlap, Edwards, Harris, Harrison, Johnson, Killpatrick, Nunnally, Ruggles, G. Smith, Vandeventer, Warren, Waters and Worthington—15.

Those voting in the negative, are,

Messrs. Allen, Boal, Cavarly, Constable, Davis, Dougherty, Forman, Henry, Judd, Leviston, Markley, Matteson, McMurtry, Minard, Morrison, Parker, Powers, J. Smith, Webb and Wynne—20.

The amendment of the committee on the Judiciary was then concurred in.

Mr. Killpatrick moved to amend the resolution by striking out the words

"him one hundred dollars thereof," and inserting the following in lieu thereof, to wit: "for the printing of said argument."

Mr. Dougherty called for a division of the question:

And the question first being taken on striking out, it was decided in the affirmative.

Mr. Davis moved to amend the proposed amendment by adding as follows:

"And also to the Attorney General, a sum sufficient to compensate him for the services so rendered, provided the same shall not exceed one hundred dollars."

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The question pending at the time of adjournment, which was upon the adoption of the proposed amendment to the amendment offered by Mr. Killpatrick to the resolution from the House of Representatives, in relation to the case of the people, vs Richard Eels, in error, &c., being taken, it was decided in the negative.

Mr. Cavarly moved to amend the proposed amendment by adding as follows:

"And fifty dollars to the Attorney General;" which was not agreed to.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that the House have concurred with them in the passage of a bill for "An act to amend the several laws, allowing Illinois and Michigan Canal lands to be taxed and sold for taxes," as amended by the House. They amend the bill by striking out the first section after the enacting clause, and by adding sections five and six.

In which they ask the concurrence of the Senate.

Mr. Ruggles moved the indefinite postponement of the preamble and resolution under consideration together with the proposed amendment; which was decided in the negative.

On motion of Mr. Forman,

Said preamble, resolution and the proposed amendment were re-committed to the committee on the Judiciary.

A message from the House of Representatives by Mr. Cloud, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have adopted the following resolution:

Resolved by the House of Representatives, the Senate concurring herein, That a joint select committee of three on the part of the Senate, and five on the part of the House, be appointed to examine into the condition of the Bank of Illinois with power to send for persons and papers, and to swear witnesses, and with instructions to report to the two Houses at as early a day as practicable the true condition of the Bank, and to recommend what further action, if any, the present Legislature should take to

secure the interest of the State in the Bank, and to protect the rights of the creditors of the same.

In the adoption of which they ask the concurrence of the Senate.

The House have appointed Messrs. Hick, Collins, Ross, Logan and Boyakin, the committee on their part.

On motion of Mr. Henry,

The order of business was suspended, and the message last received from the House of Representatives was taken up for consideration.

Mr. Forman moved to amend the resolution contained in said message, by striking out all after the word "herein," and inserting the following:

"That the Bank Commissioner of the Bank of Illinois be directed forthwith to cause to be issued a writ of injunction against said Bank for a violation of "An act to reduce the public debt one million of dollars, and to put the Bank of Illinois into liquidation," in force February 25, 1843.

Mr. G. Smith moved to refer the resolution and proposed amendment to the committee on the Judiciary, with instructions to report upon the same to-morrow morning.

Mr. Cavarly moved to lay the motion to refer with instructions on the table; which was not agreed to.

Mr. Ruggles moved to amend the motion to refer so as to allow the committee to report within three days; which was agreed to.

And the question then being taken on the motion to refer to the committee on the Judiciary with instructions, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Buford, Catlin, Dougherty, Dunlap, Forman, Markley, Minard, Parker, Ruggles, G. Smith, Warren, Waters, Worthington and Wynne—15.

Those voting in the negative, are,

Messrs. Boal, Cavarly, Crain, Edwards, Harris, Henry, Johnson, Judd, Killpatrick, Leviston, Matteson, McMillan, McMurtry, Morrison, Nunnally, Powers, J. Smith and Vandeventer—18.

Mr. Edwards moved to lay the proposed amendment on the table; which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Cavarly, Edwards, Henry, Johnson, Judd, Killpatrick, Leviston, Markley, Matteson, McMillan, McMurtry, Powers, Ruggles, J. Smith, Vandeventer, Worthington and Wynne—18.

Those voting in the negative, are,

Messrs. Allen, Buford, Catlin, Crain, Dougherty, Dunlap, Forman, Harris, Minard, Morrison, Nunnally, Parker, G. Smith, Warren and Waters—15.

And the question then being taken on concurring with the House of Representatives in the adoption of said preamble and resolution, it was decided in the affirmative.

Ordered, That Messrs. Minard, Dougherty and G. Smith be the committee on the part of the Senate, and that the Secretary inform the House of Representatives thereof.

On motion,

The Senate adjourned.

WEDNESDAY, JANUARY 22, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Dresser.

Mr. Parker moved to reconsider the vote taken on yesterday, on the adoption of the resolution from the House of Representatives, providing for the appointment of a joint select committee, to examine into the condition of the bank of Illinois, &c.

Mr. Edwards moved a call of the Senate;

During the pendency of the call,

On motion of Mr. Judd,

The order of business was suspended, and the message from the House of Representatives, containing a bill entitled "An act to amend the several laws allowing Illinois and Michigan canal lands to be taxed and sold for taxes," as amended by them, was taken up.

And the question being taken on concurring with the House of Representatives in their amendment to said bill, it was decided in the negative.

Ordered, That the Secretary inform the House of Representatives thereof.

A message from the House of Representatives by Mr. Miller of Fulton, a member of the House:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with the Senate in the adoption of their resolution, requiring the committees of the two Houses on State roads to consolidate all acts on the subject of State roads into one act.

Mr. Wynne, on leave, introduced a bill entitled "An act requiring the county of Sangamon to pay over certain moneys;" which was read, and

Ordered to a second reading.

A message from the House of Representatives, by Mr. Cloud, their Clerk:

Mr. Speaker: I am directed by the House of Representatives, to inform the Senate that they have concurred with the Senate in their amendments to House bills of the following titles:

"An act to amend the several laws apportioning the representation among the several counties in this State;" and

"An act to permanently locate the county seat of the county of Alexander."

The House have laid on the table the Senate resolution fixing the day of the adjournment for the two Houses *sine die* on the 10th day of February.

The House have also laid on the table the Senate resolution fixing a day for the election of Justices of the Supreme Court of this State.

The House have ordered to be printed for the use of the two Houses, a communication from the Auditor of Public Accounts, showing in part the taxable real estate and personal property in the several counties of this State.

Mr. Boal, on leave, introduced a bill for "An act for the relief of John O'Brien, late collector of Tazewell county;" which was read, and

Ordered to a second reading.

On motion of Mr. Boal,

The rule was dispensed with, said bill read a second time by its title, and

Referred to a Select committee.

Ordered, That Messrs. Boal, Matteson and Cavarly be that committee.

On motion of Mr. Ruggles,

Further proceedings under the call of the Senate were dispensed with.

The question then being taken on reconsidering the vote by which the resolution from the House of Representatives, in relation to the bank of Illinois, was concurred in, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Catlin, Crain, Dougherty, Dunlap, Forman, Harris, Minard, Morrison, Nunnally, Parker, J. Smith, G. Smith, Warren, Wilbanks and Wynne—16.

Those voting in the negative, are,

Messrs. Boal, Buford, Cavarly, Constable, Davis, Edwards, Harrison, Henry, Johnson, Judd, Killpatrick, Leviston, Markley, Matteson, McMillan, McMurtry, Powers, Ruggles, Ryan, Vandeventer, Waters, Webb and Worthington—23.

Mr. J. Smith presented the petition of sundry citizens of Marquette county, praying for additional territory to be added to Marquette from the county of Adams; which without reading, was, on his motion, referred to the Select committee, to which other petitions have heretofore been referred on the same subject.

Mr. Crain presented the petition of the heirs of Jesse Moore, deceased, praying for the passage of a law authorising the sale of certain real estate together with the improvements thereon; which without reading, was, on his motion, referred to a select committee.

Ordered, That Messrs. Crain, Wilbanks and Constable be that committee.

Mr. Judd presented the petition of Eli B. Williams and others of the city of Chicago, for the amendment of the city charter so as to make the representation in the common council more equal; which without reading, was, on his motion, referred to the committee on the Judiciary.

Mr. McMillan presented the petition of 215 citizens of Iowa and Illinois, praying for a turnpike road in Henderson county opposite Burlington; which was read, and on his motion, referred to a Select committee.

Ordered, That Messrs. McMillan, McMurtry and Buford be that committee.

Mr. Vandeventer, from the committee on Incorporations, to which was referred a bill for "An act to incorporate the Illinois Phalanx and Industrial Association;" reported the same back with an amendment; which was concurred in.

Ordered, That the bill be engrossed as amended and read a third time.

Mr. Catlin, from the committee on Retrenchment, to which had been referred two petitions of sundry citizens of Edgar county on the subject of the reduction of the State expenditures, reported the same back and said committee were discharged from the further consideration thereof.

Mr. Catlin moved that said petitions be referred to the select committee, to which were referred bills for the reduction of the fees and salaries of officers, with instructions to include among those officers whose

salaries are to be reduced, all Judges of the Supreme Court hereafter to be elected.

On motion of Mr. Killpatrick,

The motion to refer with instructions was laid on the table.

Mr. Constable moved that the petitions be recommitted to the committee on Retrenchment; which was not agreed to.

On motion of Mr. McMurtry,

The petitions were laid on the table.

Mr. Dougherty, from the select committee, to which was referred sundry petitions and remonstrances in relation to the county of Marquette and the re-organization thereof, reported a bill entitled "An act to create the county of Highland out of the counties of Marquette and Adams;" which was read, and

Ordered to a second reading.

On motion of Mr. Dougherty,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed and read a third time.

Mr. Morrison, from the select committee, to which was referred a bill entitled "An act for the relief of persons damaged by the flood of 1844;" reported the same back with an amendment."

Mr. McMurtry moved to lay said bill and proposed amendment on the table; which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Cavarly, Davis, Edwards, Harris, Harrison, Johnson, Judd, Leviston, Markley, Matteson, McMillan, McMurtry, Minard, Nunnally, Parker, Powers, Ruggles, J. Smith, Vandeventer, Webb and Wynne—23.

Those voting in the negative, are,

Messrs. Allen, Catlin, Constable, Crain, Dougherty, Dunlap, Killpatrick, Morrison, G. Smith, Warren, Waters and Wilbanks—12.

Mr. Dougherty, from the committee on Finance, to which was referred a petition of Wm. H. Stickney, asking relief, reported a bill entitled "An act for the relief of the heirs of Tyler D. Hewitt, deceased, and to adjust the claims of the State of Illinois against said Hewitt as former commissioner of Saline lands in Gallatin county;" which was read, and

Ordered to a second reading.

Mr. Constable moved that the Senate adjourn.

And the question being taken thereon, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Buford, Cavarly, Constable, Crain, Dougherty, Dunlap, Harris, Harrison, Henry, Killpatrick, McMurtry, Minard, Morrison, Powers, Ruggles, J. Smith, G. Smith, Warren, Waters, Worthington and Wynne—22.

Those voting in the negative, are,

Messrs. Boal, Catlin, Edwards, Johnson, Judd, Leviston, Markley, Matteson, McMillan, Nunnally, Parker, Vandeventer and Webb—13.

And then the Senate adjourned.

THURSDAY, JANUARY 23, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Edson.

Mr. McMillan presented the petition of sundry citizens of Henderson county, praying for "An act of incorporation for a turnpike road; which without reading, was, on his motion, referred to the same select committee, to which a petition was heretofore referred on the same subject.

Mr. Markley, from the committee on Internal Navigation, to which was referred the petition of sundry citizens of Lee county, reported a bill for "An act to incorporate the Rock river dam and bridge company, and to improve the navigation of said river;" which was read, and

Ordered to a second reading.

On motion of Mr. Buford,

The rule was dispensed with, and said bill read a second time by its title and referred to a select committee.

Ordered, That Messrs. Buford, Ruggles and Harrison be that committee.

A message from the House of Representatives, by Mr. Cloud, their Clerk:

Mr. Speaker: I am directed to inform the Senate, that the House of Representatives have passed a bill for "An act giving further time for the collection of the revenue for the year 1843, in Madison county."

In the passage of which they ask the concurrence of the Senate.

Mr. Constable, from the committee on the Judiciary, to which was referred a bill for "An act to authorize the creation of additional election precincts in the various counties of this State," reported the same back, and the committee were discharged from the further consideration thereof.

On motion of Mr. Constable,

The bill was laid on the table.

Mr. Boal, from the select committee, to which was referred a bill for "An act for the relief of John O'Brien, late collector of Tazewell county," reported the same back with an amendment, which was concurred in, and the bill as amended,

Ordered to be engrossed for a third reading.

Mr. Vandeventer offered for adoption the following resolution, and the rule having been, on motion, dispensed with, the same was adopted:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of so amending the 98th section of an act entitled "An act concerning wills," passed July 1st, 1829, so as to vest the power of decreeing the sale of real estate of deceased persons, in the probate courts instead of the circuit courts, as is now the case.

Mr. Parker, on leave, presented the proceedings of a public meeting in Charleston, in Coles county, recommending a reduction of salaries and fees of officers, and the per diem pay of the members of the General Assembly, &c., which were read, and on his motion, referred to the committee on Retrenchment.

Mr. Constable offered for adoption the following resolution, and the rule having been, on motion, dispensed with, the same was considered.

Resolved, That the 26th rule of the Senate be suspended, during the remainder of the present session.

On motion of Mr. Nunnally,

Said resolution was laid on the table.

Mr. Edwards offered for adoption the following resolution; which lies one day on the table.

Resolved, That the committee on Finance be instructed to enquire into the expediency of requiring the assessors to take the census for the year 1845.

Mr. Forman, on leave, introduced a bill entitled "An act to provide for cancelling Auditor's warrants;" which was read, and

Ordered to a second reading.

The orders of the day were taken up.

Senate bills on their third reading.

The bill entitled "An act to authorize Hannah G. Sharp, to keep a ferry across the Mississippi river," was read a third time and passed.

Mr. Davis moved to amend the title of said bill by adding the words "at Warsaw;" which was agreed to.

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

The bills entitled "An act for the relief of John Cooper, collector of revenue for Madison county, for the year 1841;"

"An act for the donation of lots, in towns situated on Canal lands, to public purposes;"

"An act to incorporate the Batavia Cemetery Association;"

"An act to change the time of holding courts in the county of Shelby;"

"An act to attach a strip of lost land to the counties of Fulton and Peoria;"

"An act to incorporate the town of Golconda;" and

"An act to create the county of Highland out of the counties of Marquette and Adams;" were severally read a third time and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bills.

The bill entitled "An act to incorporate the Illinois Phalanx and Industrial Association," was read a third time.

Mr. McMurtry moved to amend the same by inserting after the word "constitution" in the 5th section, the words "or laws;" which was agreed to.

On motion of Mr. McMurtry,

Said bill was laid on the table.

Bills on their second reading.

The bill entitled "An act requiring the county of Sangamon to pay over certain moneys," was read the second time.

Mr. Edwards moved that the bill be laid on the table until the 4th of July next.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Edwards moved a call of the Senate; which progressed, and

On motion of Mr. G. Smith,

Was dispensed with.

The question pending at the adjournment, being upon the motion to lay on the table until the 4th of July next, the bill for "An act requiring the county of Sangamon to pay over certain moneys."

That question was put, and decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Constable, Edwards, Harrison, Henry, McMurtry, Ruggles, Webb and Worthington—8.

Those voting in the negative, are,

Messrs. Allen, Boal, Buford, Catlin, Cavarly, Davis, Forman, Harris, Johnson, Judd, Killpatrick, Leviston, Markley, Matteson, McMillan, Minard, Morrison, Nunnally, Parker, Powers, J. Smith, G. Smith, Thompson, Vandeventer, Warren, Waters, Wilbanks and Wynne—28.

Mr. Killpatrick moved that the bill be referred to the committee on Internal Navigation.

And the question being taken thereon, it was decided in the negative, by yeas, and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Edwards, Killpatrick, McMurtry, Waters, Webb and Worthington—7.

Those voting in the negative, are,

Messrs. Allen, Buford, Catlin, Cavarly, Constable, Davis, Forman, Harris, Harrison, Johnson, Judd, Leviston, Markley, Matteson, McMillan, Minard, Morrison, Nunnally, Parker, Powers, Ruggles, J. Smith, Thompson, Vandeventer, Warren, Wilbanks and Wynne—27.

And the question then being taken on ordering said bill to be engrossed for a third reading, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Cavarly, Forman, Harris, Johnson, Judd, Leviston, Markley, Matteson, McMillan, Minard, Morrison, Powers, J. Smith, Thompson, Warren, Wilbanks and Wynne—18.

Those voting in the negative, are,

Messrs. Buford, Catlin, Constable, Davis, Edwards, Harrison, Killpatrick, McMurtry, Nunnally, Parker, Ruggles, G. Smith, Vandeventer, Waters, Webb and Worthington—16.

The bill entitled "An act for the relief of the heirs of Tyler D. Hewitt, deceased, and to adjust the claims of the State of Illinois against said Hewitt, as former commissioner of saline lands in Gallatin county," was read a second time, and

Ordered to be engrossed for a third reading.

The bill from the House of Representatives, entitled "An act to incorporate Jubilee College," was read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The memorial from the House of Representatives, praying Congress to grant relief to Thomas Morgan, a soldier in the late war with Great Britain, was read, and

On motion of Mr. Killpatrick,

Referred to the committee on Military Affairs.

The bill from the House of Representatives for "An act giving further time for the collection of the revenue for the year 1843, in Madison county," was read, and

Ordered to a second reading.

On motion of Mr. G. Smith,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. G. Smith,

The rule was further dispensed with, said bill read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the concurrence of the Senate.

The preamble and resolution offered by Mr. Nunnally, instructing the committee on Finance to inquire into the expediency of leasing the Penitentiary for State indebtedness, for the purpose of obviating doubt as to whether the State would be bound to receive such indebtedness, was read and adopted.

On motion,

The Senate adjourned.

FRIDAY, JANUARY, 24, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Edson.

A message from the House of Representatives, by Mr. Cloud, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that the House of Representatives have refused to recede from their amendments to the Senate bill for "An act to amend the several laws allowing Illinois and Michigan canal lands to be taxed and sold for taxes."

The House have directed me to ask for a committee of conference by the Senate on the disagreeing vote in said amendments, and the House have appointed Messrs. Logan, Arnold and Gregg the committee on their part.

Mr. Wynne presented the petition of sundry citizens of Mason county, in relation to certain school moneys; which, without reading, was on his motion, referred to the committee on School Lands and Education.

Mr. Dougherty presented the petition of sundry citizens of Alexander county, praying for a new county to be created from the county of Alexander to be called "Nile;" which, without reading, was on his motion, referred to the committee on Counties.

Mr. Wynne presented the petition of Joseph A. Phelps, praying for a ferry across the Illinois river; which, without reading, was on his motion, referred to a select committee of five.

Ordered, That Messrs. Wynne, Markley, Killpatrick, Thompson and Vandever be that committee.

On motion of Mr. Judd,

The order of business was suspended, and the message just received from the House of Representatives, was taken up.

And the question being taken on concurring with the House of Representatives in the appointment of a committee of conference upon the disagreeing vote of the two Houses on the amendments of the House of Representatives to the bill entitled "An act to amend the several laws allowing Illinois and Michigan canal lands to be taxed and sold for taxes," it was decided in the affirmative.

Ordered, That Messrs. Judd and Webb be the committee on the part of the Senate, and that the Secretary inform the House of Representatives thereof.

Mr. Warren, from the committee on Military Affairs, to which was referred the memorial of Thomas Morgan and accompanying documents, in relation to his services as a soldier during the late war, reported the same back and recommended its adoption.

And the question being taken on concurring with the House of Representatives in the adoption of said memorial, it was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Dougherty, from the committee on the Judiciary, to which was referred the bill entitled "An act to amend 'An act in relation to free negroes and mulattoes, servants and slaves,' " in force January 17, 1827, reported the same back with an amendment as a substitute for said bill.

Mr. G. Smith moved to amend by striking out the first six sections of the proposed amendment.

A message from the House of Representatives, by Mr. Cloud, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with the Senate in the adoption of their resolution, providing for the appointment of a joint select committee of the two Houses, to report a day for the adjournment of the two Houses, and have appointed Messrs. Arnold, Oglesby and Pratt the committee on the part of the House.

The House have passed a bill for "An act declaring a certain road in Scott county a State road.

In the passage of which they ask the concurrence of the Senate.

The House have concurred with the Senate in the passage of their bill for "An act for the permanent location of the seat of justice of Moultrie county, as amended by them, in which amendments they ask the concurrence of the Senate.

They have also concurred in the report of the committee of conference on the disagreeing vote of the two Houses, in the amendments of the House to the bill entitled "An act to amend the several laws allowing Illinois and Michigan canal lands to be taxed and sold for taxes."

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Warren,

The order of business was suspended, and the bill contained in the message from the House of Representatives as amended by them entitled "An act for the permanent location of the seat of justice of Moultrie county," was taken up, and the amendment of the House of Representatives concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion of Mr. Judd,

The order of business was further suspended, and the bill contained in the message from the House of Representatives and the report of the committee of conference thereon to said bill entitled "An act to amend the several laws allowing Illinois and Michigan canal lands to be taxed and sold for taxes," were taken up, and the amendment reported by the committee of conference concurred in.

And the question then being taken on concurring with the House of Representatives in their amendment, as amended by the committee of conference, it was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

The question recurring on the question pending at the time of adjournment, which was upon striking out the first six sections of the amendment proposed by the committee on the Judiciary to the bill entitled "An act to amend 'An act in relation to free negroes and mulattoes, servants and slaves,' in force January 17, 1827.

The same was put, and decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Constable, Edwards, Harrison, Henry, Johnson, Judd, Killpatrick, Matteson, McMurtry, Minard, Ruggles, G. Smith, Thompson, Webb and Worthington—16.

Those voting in the negative, are,

Messrs. Allen, Catlin, Cavarly, Davis, Dougherty, Dunlap, Forman, Harris, Leviston, Markley, McMillan, Morrison, Nunnally, Parker, Powers, J. Smith, Vandeventer, Warren, Waters, Wilbanks and Wynne—21.

Mr. Cavarly moved that the amendment reported by the committee on the Judiciary be amended by adding to the third section thereof the following:

"Provided, That upon satisfactory proof being furnished, the warden of the freedom of such negro or mulatto, it shall be the duty of said warden forthwith to discharge him from service in the penitentiary."

Mr. Henry moved that the bill and amendments be indefinitely postponed; and the question being taken thereon, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Constable, Edwards, Harrison, Henry, Johnson, Judd, Killpatrick, Matteson, McMurtry, Minard, Ruggles, G. Smith, Thompson, Webb and Worthington—16.

Those voting in the negative, are,

Messrs. Allen, Catlin, Cavarly, Davis, Dougherty, Dunlap, Forman, Harris, Leviston, Markley, McMillan, Morrison, Nunnally, Parker, Powers, J. Smith, Vandeventer, Warren, Waters, Wilbanks and Wynne—21.

The question then being taken on the adoption of the proviso to the 3d section of the amendment, it was decided in the affirmative.

The question being taken on concurring with the committee on the Judiciary in the amendment, reported by them as amended, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Catlin, Cavarly, Davis, Dougherty, Dunlap, Forman, Harris, Leviston, Markley, McMillan, Morrison, Nunnally, Parker, Powers, J. Smith, Vandeventer, Warren, Waters, Wilbanks and Wynne—21.

Those voting in the negative, are,

Messrs. Boal, Constable, Edwards, Harrison, Johnson, Judd, Killpatrick, Matteson, McMurtry, Minard, Ruggles, G. Smith, Thompson, Webb and Worthington—15.

The question then being taken, "Shall the bill as amended be engrossed for a third reading?" It was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Catlin, Cavarly, Davis, Dougherty, Dunlap, Forman, Harris, Leviston, Markley, McMillan, Morrison, Nunnally, Parker, Powers, J. Smith, Vandeventer, Warren, Waters, Wilbanks and Wynne—21.

Those voting in the negative, are,

Messrs. Boal, Constable, Edwards, Harrison, Henry, Johnson, Judd, Killpatrick, Matteson, McMurtry, Minard, Ruggles, G. Smith, Thompson, Webb and Worthington—16.

Mr. Dougherty, from the same committee, to which was referred a bill entitled "An act to amend an act, entitled 'An act relative to criminal jurisprudence,'" approved February 26, 1833, reported the same back and the committee were discharged from the further consideration thereof.

On motion of Mr. Cavarly,

Said bill was laid on the table.

Mr. Constable, from the same committee, to which was referred the petition of George H. Wood, &c., reported a bill entitled "An act to authorise George H. Wood, executor of William Wood, deceased, to convey certain lands therein mentioned, to Godfrey Wilkins;" which was read, and

Ordered to a second reading.

On motion of Mr. Nunnally,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Constable, from the same committee, to which was referred the petition of Kelly R. Tucker, executor of George Tumbleson, deceased, asking for a special act to convey real estate, reported the same back, and said committee were discharged from a further consideration thereof.

On motion of Mr. Nunnally,

Said petition was laid on the table.

Mr. Henry, from the select committee, to which was referred the

bills entitled "An act to fix the salaries, fees and compensation of all the officers of State and other persons, and to reduce the present salaries, fees and compensation at the rate of twenty-five per centum;" and

"An act to reduce the fees of public officers," reported the same back and said committee were discharged from a further consideration of the same.

On motion of Mr. Henry,

Said bills were referred to the committee on Retrenchment.

Mr. Forman, from the select committee, to which was referred the petition of Thomas Goodwin and others, praying for relief, reported a bill entitled "An act for the relief of the securitics of Thomas Haydon;" which was read, and

Ordered to a second reading.

On motion of Mr. Vandeventer,

The rule was dispensed with, said bill read a second time by its title, and

On motion of Mr. Parker,

Referred to the committee on Finance.

Mr. Waters, from the committee on Internal Navigation, to which was referred the petition of sundry citizens of St. Clair county, praying for a ferry, &c., reported a bill entitled "An act authorising David Anderson to keep a ferry across the Kaskaskia river;" which was read, and

Ordered to a second reading.

Mr. J. Smith, from the committee on Internal Navigation, to which was referred the petition of James McMillan and 46 other citizens of Wabash county, reported a bill for "An act to authorise the erection of a mill dam in the Great Wabash river, in Wabash county;" which was read, and

Ordered to a second reading.

On motion of Mr. Constable,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Parker offered for adoption the following resolution, which lies one day on the table:

Resolved by the Senate, the House of Representatives concurring herein, That both branches of this General Assembly adjourn *sine die* on Monday, the 3d day of February.

Mr. Henry offered for adoption the following resolution, and the rule having been on his motion, dispensed with, the same was adopted:

Resolved by the Senate, the House of Representatives concurring herein, That a joint select committee, consisting of two from the Senate and three from the House be appointed to inquire into the expediency of so dividing the buildings erected at Jacksonville, for a State deaf and dumb asylum, as to appropriate one half of the same and the grounds appertaining thereto, to the purposes of a lunatic asylum for the State, and that they report to the two Houses by bill or otherwise.

Ordered, That Messrs. Henry and Leviston be said committee on the part of the Senate.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Constable moved that the rule be dispensed with for the purpose of taking up for consideration the resolution just offered by Mr. Parker, which was not agreed to.

Engrossed bills for "An act for the relief of John O'Brien, late collector of Tazewell county;" and

"An act for the relief of the heirs of Tyler D. Hewitt, deceased, and to adjust the claims of the State of Illinois against said Hewitt, as former commissioner of Saline lands in Gallatin county," were severally read a third time and passed.

Ordered, That the titles thereof be respectively as aforesaid, and that the Secretary ask the concurrence of the House of Representatives in the passage of said bills.

On motion of Mr. Edwards,

The consideration of the bill for "An act requiring the county of Sangamon to pay over certain moneys," was postponed for the present, and the bill made the special order for to-morrow.

The bill for "An act to provide for cancelling Auditor's Warrants," was read a second time, and

Ordered to be engrossed for a third reading.

The bill from the House of Representatives for "An act declaring a certain road in Scott county a State road," was read, ordered to a second reading, and

On motion of Mr. Markley,

Read a second time by its title, the rule having been dispensed with, and

On motion of Mr. Dougherty,

Referred to the committee on Internal Improvements.

The resolution offered by Mr. Edwards on yesterday, in relation to requiring assessors to take the census for the year 1845, was read, and adopted.

On motion,

The Senate adjourned.

SATURDAY, JANUARY 25, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Richmond.

A message from the House of Representatives by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with the Senate in the passage of bills of the following titles, viz:

"An act to amend the charter of the city of Galena;"

"An act to authorize Rice Fay, to build a mill dam across Fox river;"

"An act authorizing an additional justice of the peace and constable in Grayville precinct, in White county;"

"An act to repeal the act entitled 'An act to incorporate the city of Nauvoo,' approved December 16th, 1840.

"An act to enable the inhabitants of Elgin precinct, in Kane county, to keep in repair a bridge across Fox river."

The House have also concurred with the Senate in the passage of a bill

for "An act for the relief of the securities of Richard J. Hill, as amended by the House.

In which amendment they ask the concurrence of the Senate.

The House have laid upon the table a bill for "An act to regulate the fees, salaries and compensation of public officers and other persons, and ordered 200 copies to be printed for the use of the two Houses.

Mr. Powers presented the memorial of George A. Patterson, school commissioner of Piatt county, in relation to school funds; which without reading, was on his motion, referred to the committee on School Lands and Education.

Mr. McMillan presented the petition of sundry citizens, praying the incorporation of a company to build a turnpike road; which, without reading, was on his motion, referred to the same select committee, to which other petitions were heretofore referred on the same subject.

Mr. Ruggles presented petitions as follows:

The petition of 39 citizens of Ogle county, praying the repeal of certain oppressive laws of this State; and

The petition of 71 citizens of the same county, praying the repeal of all laws which create distinction between white and colored persons; which were severally read, and on his motion, referred to the committee on the Judiciary.

A message from the Council of Revision, by Mr. Hawley, their Secretary:

Mr. Speaker: I am directed to inform the Senate, that the Council of Revision has approved a bill entitled "An act vacating a part of a street in the town of St. Charles, in Kane county.

The bill entitled "An act requiring the county of Sangamon to pay over certain moneys," being under consideration, was read a third time.

And on the question: "Shall said bill pass?" It was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Buford, Catlin, Cavarly, Dougherty, Dunlap, Forman, Harris, Johnson, Judd, Leviston, Markley, Matteson, McMillan, Minard, Morrison, Nunually, Powers, J. Smith, Vandeventer, Warren, Wilbanks and Wynne—23.

Those voting in the negative, are,

Messrs. Boal, Constable, Edwards, Harrison, Henry, Killpatrick, McMurtry, Parker, Ruggles, Ryan, G. Smith, Thompson, Webb and Worthington—14.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

Mr. Killpatrick, from the committee on School Lands and Education, to which was referred sundry petitions, resolutions and memorials on the subject of education, and the revision of the laws in relation to common schools, reported a bill entitled "An act to establish and maintain common schools."

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The bill reported from the committee on School Lands and Education entitled "An act to establish and maintain common schools," was read, and

Ordered to a second reading.

On motion of Mr. Cavarly,

The rule was dispensed with, said bill read a second time by its title, and laid on the table, and ordered to be printed for the use of the two Houses.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Cavarly from the joint judiciary committee of the two Houses, reported chapter 1, of "Revised Statutes," entitled "An act for revising and consolidating the general statutes of the State of Illinois;" which was read, and

Ordered to a second reading.

On motion of Mr. Cavarly,

The rule was dispensed with, and said chapter read a second time.

Mr. Davis moved to recommit said chapter to the Joint Judiciary committee.

Mr. McMurtry moved to lay the motion to re-commit on the table; which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Catlin, Cavarly, Dunlap, Johnson, Judd, Killpatrick, Markley, McMillan, McMurtry, Minard, Morrison, Nunnally, Powers, Ruggles, J. Smith, Thompson, Vandeventer, Warren and Wilbanks—21.

Those voting in the negative, are,

Messrs. Buford, Constable, Davis, Edwards, Harrison, Henry, Leviston, Parker, Ryan, G. Smith, Waters, Webb and Worthington—13.

Said chapter 1, was ordered to be engrossed for a third reading.

Mr. Buford, from the select committee, to which was referred a bill for "An act to incorporate the Rock river dam and bridge company, and to improve the navigation of said river," reported the same back with an amendment; which was concurred in, and said bill as amended,

Ordered to be engrossed for a third reading.

Mr. Warren offered for adoption the following preamble and resolutions; which lie one day on the table.

Whereas: There is due from the State to the school fund, the sum of \$856,100 22 cts; which sum was borrowed by the people of the State for the purpose of defraying the expenses of the government; and whereas, the amount due to the school fund of the different townships from the sale of the sixteenth sections, and has been loaned to individuals: Therefore,

Resolved, That the rate of interest to be paid by the people collectively, ought to be the same as that required to be paid by individuals who are indebted for school funds.

Resolved, That it is the duty of the Legislature to pass a law making the rate of interest equal on all persons who owe school funds.

Resolved, That it is unjust and unequal to compel individuals who owe the township or school funds to pay twelve per cent. interest, when

the people in their aggregate are only required to pay six per cent. and as the interest paid by the State is collected from property according to the amount each may have in possession, and the township funds in many instances are due from poor men, making the inequality more apparent, and the injustice more manifest.

Mr. Warren, on leave, introduced a bill entitled "An act regulating the rate of interest on school funds;" which was read, and

Ordered to a second reading.

On motion of Mr. Warren,

The rule was dispensed with, said bill read a second time and referred to the committee on School Lands and Education.

Mr. Markley, on leave, introduced a bill for "An act to amend an act entitled 'An act to establish seven congressional districts;'" which was read, and

Ordered to a second reading.

Mr. Warren, on leave, introduced a bill for "An act to relocate a portion of the State road leading from the city of Springfield, in the county of Sangamon, to the town of Shelbyville, in the county of Shelby;" which was read, and

Ordered to a second reading.

On motion of Mr. Warren,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed for a third reading.

On motion of Mr. Warren,

The rule was further dispensed with, said bill read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary ask the concurrence of the House of Representatives in the passage of said bill.

Mr. Catlin moved that the vote given this morning upon the passage of a bill for "An act requiring the county of Sangamon to pay over certain moneys," be reconsidered.

On motion,

The Senate adjourned.

MONDAY, JANUARY 27, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Bergen.

Mr. Davis presented the petition of the "Carthage Greys," an independent company in Hancock county, praying the return of their Cannon, and the passage of an act authorizing them to retain their arms, drawn by them from the State; which, was read, and on his motion, referred to the committee on Military Affairs.

Mr. Markley, from the committee on Public Roads, to which was referred the petition of sundry citizens of Piatt county, praying the location of a State road from Charleston to Mt. Pleasant, reported the same back, and said committee were discharged from the further consideration thereof.

On motion of Mr. Markley,

Said petition was laid on the table.

Mr. Harrison, from the committee on Retrenchment, to which was referred the bill entitled "An act to provide for the election of Public Binder," reported the same back with an amendment; which was concurred in.

The question then being on ordering said bill as amended to be engrossed for a third reading, it was decided in the negative, by yeas and nays, as follows:

Mr. Minard voted in the affirmative—1.

Those voting in the negative, are,

Messrs. Allen, Boal, Buford, Cavarly, Davis, Dougherty, Dunlap, Edwards, Forman, Harrison, Henry, Johnson, Judd, Killpatrick, Leviston, Markley, Matteson, McMillan, McMurtry, Morrison, Nunnally, Parker, Powers, Ruggles, Ryan, J. Smith, G. Smith, Thompson, Vandeventer, Warren, Waters, Webb, Wilbanks and Worthington—34.

A message from the Governor, by Thompson Campbell, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a written communication.

Mr. Davis, from the committee on the Judiciary, to which was referred the bill entitled "An act limiting the jurisdiction of justices of the peace and constables to their respective precincts," reported the same back, and said committee were discharged from a further consideration thereof.

Mr. Davis moved that the further consideration of said bill be indefinitely postponed.

Mr. Cavarly moved to amend said bill by striking out all after the enacting clause, and inserting the following:

"That probate justices of the peace (when acting as ordinary justices,) justices of the peace and constables shall be restricted and confined in their jurisdiction to the precinct in which they have been, or may hereafter be elected, in all civil cases, except in actions of trespass, trover, forcible entry and detainer, process against a garnishee or garnishees, writs of attachment, subpœnas and process to summon and compel the attendance of witnesses and jurors: provided, however, that in all cases probate justices of the peace, and justices of the peace shall have power to issue execution on judgments, rendered by them to any part of their respective counties, and constables shall have power to levy the same: and provided, also, that whenever the office of justice of the peace in any precinct shall become vacant by death, resignation or absence, the plaintiff shall have the right to bring his or her suit before the next nearest justice of the peace.

Sec. 2. When there are two or more defendants in any one action residing in different precincts, the plaintiff in such case may sue before a justice of the peace in the precinct in which either of the defendants resides, and shall be entitled to process for the other defendant or defendants returnable before such justice. And the constable may serve the same on all the defendants as in other cases, and in all cases the defendant or defendants may remove the trial before the next nearest justice of the peace, as is now provided by law, and the constable serving such process shall have the same jurisdiction as though the said trial had not been removed."

Mr. Davis moved to amend the proposed amendment by inserting af-

ter the word "elected" in the first section, the words "except when the contracts are made payable."

Mr. Warren moved to lay the proposed amendment to the amendment on the table; which was decided in the affirmative.

Mr. Davis moved to lay the proposed amendment on the table; which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Davis, Dougherty, Edwards, Forman, Harrison, Henry, Johnson, Judd, Killpatrick, Matteson, McMillan, Minard, Powers, G. Smith, Vandeventer, Webb and Worthington—19.

Those voting in the negative, are,

Messrs. Allen, Cavarly, Crain, Dunlap, Leviston, Markley, McMurtry, Morrison, Nunnally, Parker, Ruggles, J. Smith, Thompson, Warren, Waters and Wilbanks—16.

Mr. Cavarly moved that the bill be laid on the table; and the question being taken thereon, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Buford, Cavarly, Davis, Harrison, Henry, Judd, Killpatrick, Matteson, Minard, Ruggles, Ryan, J. Smith, G. Smith, Thompson, Warren and Webb—17.

Those voting in the negative, are,

Messrs. Boal, Crain, Dougherty, Dunlap, Edwards, Forman, Johnson, Leviston, Markley, McMillan, McMurtry, Morrison, Nunnally, Parker, Powers, Vandeventer, Waters, Wilbanks and Worthington—19.

Mr. Parker moved that the bill be referred to a select committee; which was not agreed to.

Mr. Parker moved to amend the bill by adding thereto the following:

"Sec.—All laws coming within the purview of this act be and they are hereby repealed: this act to take effect, and be in force from and after its passage."

And the question being taken on the adoption thereof, it was decided by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Cavarly, Crain, Dougherty, Dunlap, Henry, Johnson, Leviston, Markley, Morrison, Nunnally, Parker, Powers, Thompson, Vandeventer, Warren, Waters and Wilbanks—18.

Those voting in the negative, are,

Messrs. Boal, Buford, Davis, Edwards, Forman, Harrison, Judd, Killpatrick, Matteson, McMillan, McMurtry, Minard, Ruggles, Ryan, J. Smith, G. Smith, Webb and Worthington—18.

There being a tie, Mr. Speaker voted in the affirmative.

So the amendment was adopted.

Mr. Nunnally moved that the second section of the bill be amended by striking out the words, "cause of action may have originated," and adding in lieu thereof, the words "contract may have been made payable."

On motion of Mr. G. Smith,

Said amendment was laid on the table.

Mr. Parker moved that the second section of the bill be amended by striking out the words "in the justice's district, in which the defendant may reside, or."

Mr. Davis moved that the bill and amendment be laid on the table; and the question being taken thereon, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Buford, Davis, Harrison, Henry, Judd, Matteson, Minard, Ryan and Webb—9.

Those voting in the negative, are,

Messrs. Allen, Boal, Cavarly, Crain, Dougherty, Dunlap, Edwards, Forman, Johnson, Killpatrick, Leviston, Markley, McMillan, McMurtry, Morrison, Nunnally, Parker, Powers, Ruggles, J. Smith, G. Smith, Thompson, Vandeventer, Warren, Waters, Wilbanks and Worthington—27.

Mr. Davis moved to lay the proposed amendment on the table; which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Davis, Dougherty, Edwards, Forman, Harrison, Henry, Johnson, Judd, Killpatrick, Matteson, McMillan, Minard, Powers, Ryan, G. Smith, Vandeventer, Webb and Worthington—20.

Those voting in the negative, are,

Messrs. Allen, Cavarly, Crain, Dunlap, Leviston, Markley, McMurtry, Morrison, Nunnally, Parker, Ruggles, J. Smith, Thompson, Warren, Waters and Wilbanks—16.

Mr. Killpatrick moved to amend by adding to the end of the second section the words "or where the contract is made payable;" which was agreed to.

And then the question being taken on ordering said bill as amended to be engrossed for a third reading, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Cavarly, Crain, Dougherty, Dunlap, Edwards, Forman, Johnson, Judd, Killpatrick, Leviston, Markley, Matteson, McMillan, McMurtry, Morrison, Nunnally, Parker, Powers, Vandeventer, Warren, Waters and Wilbanks—24.

Those voting in the negative, are,

Messrs. Allen, Davis, Harrison, Henry, Minard, Ruggles, Ryan, J. Smith, G. Smith, Webb and Worthington—11.

Mr. Nunnally asked and obtained leave of absence for Mr. Catlin, for the space of ten days.

Mr. Forman, from the committee on the Judiciary, to which was referred a bill entitled "An act to incorporate the town of Tentopolis, in the county of Effingham," reported the same back with an amendment, which was concurred in, and said bill as amended,

Ordered to be engrossed for a third reading.

On motion of Mr. Forman,

The rule was dispensed with, and said bill read a third time by its title.

Mr. Parker moved to amend said bill by adding the following:

"*Provided*, however, that the Legislature reserve the right to alter, amend, or repeal this act whenever the public good may require it.

On motion of Mr. Dougherty,

The proposed amendment was laid on the table.

The question then being taken on the passage of said bill, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,
Messrs. Boal, Buford, Cavarly, Davis, Dougherty, Dunlap, Edwards, Forman, Harrison, Henry, Johnson, Judd, Killpatrick, Leviston, Matteson, McMillan, Minard, Morrison, Parker, Powers, Ruggles, Ryan, J. Smith, Vandeventer, Warren, Waters and Webb—27.

Those voting in the negative, are,
Messrs. Crain, Markley, McMurtry, Nunnally and Wilbanks—5.
Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

Mr. Crain, from the select committee, to which was referred the petition of the heirs of Jesse Moore, reported a bill for "An act for the benefit of the heirs of Jesse Moore, deceased;" which was read, and

Ordered to a second reading.

On motion of Mr. Crain,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Speaker laid before the Senate a communication from the Governor; which was read as follows:

EXECUTIVE DEPARTMENT,
Springfield, January 27, 1845.

To the Senate and House of Representatives:

With a view to aid the General Assembly in retrenching the expenses of the State Government, I voluntarily propose to relinquish a portion of my salary, as Governor, equal to the rate of five hundred dollars per annum, from the adjournment of this session of the General Assembly, upon condition that I may be allowed by law to reside at some other place than the Seat of Government, to be selected by me.

I am most respectfully,

Your obedient servant.

THOMAS FORD.

On motion of Mr. Nunnally,

Said communication was referred to the committee on Retrenchment.

Mr. Ryan, on leave, introduced a bill entitled "An act to confirm Jeremiah Crotty's title to certain improvements therein named;" which was read, and

Ordered to a second reading.

On motion of Mr. Ryan,

The rule was dispensed with, said bill read a second time by its title, and referred to the committee on Canal and Canal Lands.

Mr. Wilbanks, on leave, introduced a bill entitled "An act to relocate part of a State road therein named; which was read, and

Ordered to a second reading.

And on his motion, the rule was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed for a third reading.

On the further motion of Mr. Wilbanks,

The rule was dispensed with, said bill read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

On motion,

The Senate adjourned.

TUESDAY, JANUARY 28, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Dresser.

Mr. Crain presented the petition of 45 citizens of Washington county, praying a change in the election laws so as to have all county officers serve two years only, and that an election be held next August in accordance with said law; which was read, and on his motion, referred to the committee on Elections.

A message from the House of Representatives by Mr. Morrison, a member:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed a bill entitled "An act for the relief of certain persons therein named."

In the passage of which they ask the concurrence of the Senate.

Mr. Boal presented the petition of the citizens of Washington in Tazewell county, for "An act of incorporation;" which, without reading, was on his motion, referred to the committee on Incorporations.

Mr. Markley presented the petition of 125 citizens of Fulton county, praying for a change of license laws; which was read, and on his motion, referred to the committee on the Judiciary.

The motion made on Saturday last to reconsider the vote by which was passed a bill for "An act requiring the county of Sangamon to pay over certain moneys," was taken up for consideration.

A message from the House of Representatives by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed to inform the Senate the House of Representative have passed bills of the following titles, viz:

"An act for the collection of taxes in Perry county, for the year 1843;"

"An act granting further time to make return of the number of scholars in township ten north, range eight east, in the county of Cumberland;"

"An act limiting the power of taxation in the city of Chicago;"

"An act to limit the duties of public administrators;"

"An act to repeal an act entitled 'An act for the benefit of Robert Ritchey,'" approved February 6, 1835;

"An act to incorporate the musical association of Peoria;"

"An act to change the name of the town of Newburg, in Macoupin county, to Cummington;"

"An act to legalize the sale of school lands in Adams county;"

"An act to legalize the assessment of property and collection of taxes in the counties of Washington and Effingham;"

"An act in relation to the duties of Masters in Chancery;"

"An act to authorise the school commissioner of Jo Daviess county to distribute school funds;"

"An act to locate a State road from Batavia, in Kane county, to David Bennett's, in Du Page county;"

"An act to authorise the school commissioner of La Salle county to pay over certain moneys to the counties of Grundy and Kendall;"

"An act for the removal of the seat of justice of Randolph county;"

"An act to incorporate the Georgetown seminary in Vermilion county;"

"An act concerning the revenue;"

"An act to amend 'An act to protect the canal lands against trespassers,' " approved March 4, 1837; and

"An act to amend an act, entitled 'An act to protect the canal lands against trespassers,' " approved February 26, 1839;

"An act supplementary to an act, entitled 'An act relative to criminal jurisprudence;'"

"An act to incorporate the Franklin Literary and Medical College of Illinois;" and

"An act to limit the jurisdiction of justices of the peace."

In the passage of which several bills they ask the concurrence of the Senate

The House of Representatives have adopted the accompanying resolutions relative to receiving proposals for leasing the penitentiary, and changing the labor of the convicts therein, &c.

In the adoption of which they ask the concurrence of the Senate.

The House have also adopted the accompanying preamble and resolutions recommending the postponement of the time for bringing suits against delinquent collectors.

In the adoption of which they also ask the concurrence of the Senate.

Mr. Edwards moved a call of the Senate.

During the pendency of the call, on leave given, Mr. Constable, from the committee on the Judiciary, to which was referred a resolution in relation to county recorders, reported a bill entitled "An act to legalize the acts of deputy recorders in certain cases, and to provide for their appointment;" which was read, and

Ordered to a second reading.

Mr. Constable, from the same committee, to which was referred certain petitions from Marshall and Peoria counties, praying for the abrogation of the common law, &c., made an adverse report thereon, and said committee were discharged from a further consideration of the subject.

On motion of Mr. McMurtry,

Said petitions and report were laid on the table.

Mr. McMurtry, from the committee on Counties, made a report.

On motion of Mr. Parker,

The further proceedings under the call were dispensed with.

And the question recurring on the motion to reconsider the vote taken on the passage of the bill entitled "An act requiring the county of Sangamon to pay over certain moneys;" and the vote being taken, it was decided in the affirmative.

Mr. Edwards moved to refer said bill to a select committee of five.

Mr. Johnson moved to lay the motion to refer on the table; which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Cavarly, Crain, Dougherty, Dunlap, Johnson, Judd, Leviston, Markley, Matteson, Minard, Morrison, Nunnally, Powers, J. Smith, Vandeventer, Warren, Wilbanks and Wynne—20.

Those voting in the negative, are,

Messrs. Buford, Constable, Edwards, Forman, Harrison, Henry, Killpatrick, McMillan, McMurtry, Parker, Ruggles, Ryan, G. Smith, Thompson, Waters, Webb and Worthington—17.

The question then being taken on the passage of said bill, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Cavarly, Crain, Dougherty, Dunlap, Forman, Johnson, Judd, Leviston, Markley, Matteson, Minard, Morrison, Nunnally, Powers, J. Smith, Vandeventer, Warren, Wilbanks and Wynne—20.

Those voting in the negative, are,

Messrs. Boal, Buford, Constable, Edwards, Harrison, Henry, Killpatrick, McMillan, McMurtry, Parker, Ruggles, Ryan, G. Smith, Thompson, Waters, Webb and Worthington—17.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. McMurtry, from the committee on Counties, having made an informal report during the pendency of the call of the Senate this morning, as follows:

The committee on Counties, to which were referred several petitions from the counties of Macon, Piatt and Moultrie, concerning the revenue of said counties, report the same back and ask to be discharged from the further consideration of the subject.

Also, said committee report the following resolution:

Resolved by the Senate, That it is unjust to exact from the citizens of a new county, payment of the debts contracted in the county from which said new county was detached, for building the court house or jail in the old county, previous to the formation of said new county; and said report being under consideration,

Mr. Powers moved to recommit said petitions to the committee on Counties, with instructions so to amend the law creating the county of Moultrie, as to require that portion of the said county of Moultrie, formerly belonging to Macon, to pay their pro rata, of the Macon county court house debt, and to report a bill legalizing the acts of the two commissioners of Piatt county, who met the county commissioners of Macon county, to ascertain their proportion of the Macon debt.

On motion of Mr. McMurtry,

The motion to recommit with instructions, was laid on the table.

On motion of Mr. Warren,

Said petitions were laid on the table.

And the question then being taken on the adoption of the resolution, it was decided in the affirmative.

Mr. Cavarly, from the joint judiciary committee of the two Houses, reported chapters 4 and 5 of the Revised Statutes.

Chapter 4 was read, and ordered to a second reading.

On motion of Mr. McMurtry,

The rule was dispensed with, said chapter read a second time by its title, and

Ordered to be engrossed for a third reading.

Chapter 5 was read, and ordered to a second reading.

On motion of Mr. McMurtry,

The rule was dispensed with, said chapter read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Cavarly, from the committee on the Judiciary, to which were referred the preamble and resolutions from the House of Representatives, in relation to the case of the people against Richard Eels, reported the same back with an amendment; which was concurred in.

And the question being taken on concurring with the House of Representatives in the adoption of the resolution as amended, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Buford, Cavarly, Davis, Dougherty, Dunlap, Forman, Judd, Leviston, Markley, McMillan, McMurtry, Minard, Morrison, Powers, Ryan, J. Smith, Thompson, Vandeventer, Warren, Webb and Wynne—21.

Those voting in the negative, are,

Messrs. Boal, Crain, Edwards, Harrison, Henry, Killpatrick, Nunnally, Parker, Ruggles, G. Smith, Waters, Wilbanks and Worthington—13.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Ryan, from the committee on Canals and Canal Lands, to which was referred the bill entitled "An act to confirm Jeremiah Crotty's title to certain improvements therein named," reported the same back with an amendment; which was concurred in.

Mr. McMurtry moved to lay said bill on the table until the 4th of July next; which was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Crain, Markley, McMurtry, Morrison, Nunnally, Parker, and Worthington—7.

Those voting in the negative, are,

Messrs. Boal, Buford, Cavarly, Davis, Dougherty, Dunlap, Edwards, Forman, Harrison, Henry, Judd, Killpatrick, Leviston, Matteson, McMillan, Minard, Powers, Ruggles, Ryan, J. Smith, G. Smith, Thompson, Warren, Waters, Webb, Wilbanks and Wynne—27.

Said bill as amended, was then

Ordered to be engrossed for a third reading.

Mr. Dougherty, from the committee on the Judiciary, to which was referred a bill entitled "An act to authorise William Clapp and John Hodges to collect certain taxes," reported the same back without amendment and recommended its passage; said bill was

Ordered to be engrossed for a third reading.

Mr. Wynne, from the committee on enrolled bills, reported as correctly enrolled,

"An act to amend the several laws allowing Illinois and Michigan canal lands to be taxed and sold for taxes;" and

"An act for the permanent location of the seat of justice of Moultrie county;" and that said bills have this day been laid before the Council of Revision.

Mr. Warren, from the committee on Military Affairs, to which was referred the petitions of the "Carthage Greys" and "Green Plains Minute Men," in relation to the arms drawn by them from the State, reported the same back and said committee were discharged from the further consideration of the subject.

On motion of Mr. McMurtry,

Said petitions were laid on the table.

Mr. Wynne introduced the petition of 120 citizens of Mason county, remonstrating against any change in a certain ferry therein named; which, without reading, was on his motion, referred to the same select committee, to which other petitions on the same subject were referred.

Mr. Dougherty, on leave, presented the petition of Gilbert Le Roy and 146 others, citizens of Pulaski county, praying for the relief of the bail of John and William Haws; which, without reading, was,

On motion of Mr. Dougherty,

Referred to a select committee.

Ordered, That Messrs. Dougherty, Waters and Allen be that committee.

Mr. Judd, from the select committee, to which was referred a bill for "An act to establish the Cook county court," reported the same back with an amendment.

Mr. McMurtry moved that the 9th section of the amendment, regulating the salary of the judge be amended by striking out "eight hundred" and inserting in lieu thereof, "five hundred," and the question being taken thereon, it was decided in the negative.

Mr. Markley also moved to amend said section of the amendment, providing that the salaries therein named be paid out of the State Treasury, by striking out "State" and inserting "county" in lieu thereof, and the question being taken thereon, it was decided in the negative.

The question then being taken on concurring with said committee in their amendment, it was decided in the affirmative.

The question then being taken, "Shall the bill as amended be engrossed for a third reading?" It was decided in the affirmative by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Buford, Cavarly, Constable, Davis, Dunlap, Forman, Harrison, Henry, Johnson, Judd, Killpatrick, Markley, Matteson, Minard, Morrison, Nunnally, Parker, Powers, Ruggles, Ryan, G. Smith, Thompson, Vandeventer, Warren, Waters, Wilbanks, Worthington and Wynne—28.

Those voting in the negative, are,

Messrs. Boal, Crain, Dougherty, Edwards, Leviston, McMurtry, J. Smith and Webb—8.

Mr. Warren, from the committee on Military Affairs, to which was referred the special message of the Governor in relation to the disturban-

ces in Hancock county, reported the same back, and said committee were discharged from the further consideration of the subject.

On motion of Mr. McMurtry,

Said message was laid on the table.

Mr. Parker, from the committee on enrolled bills, reported as correctly enrolled bills entitled:

"An act authorising an additional justice of the peace and constable in Grayville precinct in White county;"

"An act to authorise Rice Fay to build a mill dam across Fox river;"

"An act to amend the charter of the city of Galena;"

"An act to enable the inhabitants of Elgin precinct, in Kane county, to keep in repair a bridge across Fox river;" and

"An act to repeal the act, entitled 'An act to incorporate the city of Nauvoo,'" approved December 16, 1840, and that said bills have this day been laid before the Council of Revision.

Mr. Edwards offered for adoption the following preamble and resolution:

Whereas, Several thousand dollars of counterfeit Internal Improvement scrip have been received by the State in payment of lands sold by the State; and *whereas*, there is reason to believe that millions of bonds are in circulation without authority of law; and *whereas*, it is for the interest of the State and our creditors that the amount of our public debt should be ascertained: Therefore,

Be it resolved by the Senate, That the committee on Finance be instructed to report a bill providing for ascertaining the amount of the public debt, by requiring all persons having claims against the State to present the same to the Treasury Department within a definite period.

On motion of Mr. Parker,

The rule was dispensed with, said preamble and resolution read and adopted.

Mr. G. Smith, on leave, introduced a bill entitled "An act to secure to married women their right to property;" which was read, and

Ordered to a second reading.

On motion of Mr. G. Smith,

The rule was dispensed with, said bill read a second time by its title, and

Referred to the committee on the Judiciary.

Bills of the following titles:

"An act for the benefit of the heirs of Jesse Moore, deceased;"

"An act to authorise George H. Wood, executor of William Wood, deceased, to convey certain lands therein mentioned to Godfrey Wilkins;"

"An act to provide for cancelling Auditor's Warrants;" and

"An act to authorise the erection of a mill dam in the Great Wabash river in Wabash county," were severally read a third time and passed.

Ordered, That the titles thereof be respectively as aforesaid, and that the Secretary ask the concurrence of the House of Representatives in the passage of said bills.

The bill for "An act limiting the jurisdiction of justices of the peace and constables to their respective precincts," was read a third time.

Mr. McMurtry moved that said bill be referred to a select committee; which was not agreed to.

Mr. Davis moved that said bill be laid on the table; which was not agreed to.

On motion of Mr. Cavarly,

The bill was referred to the committee on the Judiciary.

The bill for "An act to incorporate the Rock river dam and bridge company and to improve the navigation of said river," was,

On motion of Mr. Ruggles,

Recommitted to the committee on Internal Navigation.

The bill entitled "An act to amend 'An act in relation to free negroes and mulattoes, servants and slaves,'" in force January 17, 1827, was read a third time.

And on the question, "Shall said bill pass?" It was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Buford, Cavarly, Crain, Davis, Dougherty, Dunlap, Forman, Leviston, Markley, Morrison, Nunnally, Parker, Powers, J. Smith, Vandeventer, Warren, Waters, Wilbanks and Wynne—19.

Those voting in the negative, are,

Messrs. Boal, Constable, Edwards, Harrison, Henry, Johnson, Judd, Killpatrick, Matteson, McMurtry, Minard, Ruggles, Ryan, G. Smith, Thompson, Webb and Worthington—17.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

On motion,

The Senate adjourned.

WEDNESDAY, JANUARY 29, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Hale.

Mr. Minard presented the petition of George J. Peck and others, praying for the passage of an act to authorize Seba Peck and others to build a dam across Fox river, at Dundee; which, without reading, was on his motion, referred to the committee on Internal Navigation.

Mr. Ruggles presented the remonstrance of 94 citizens of Ogle county, against any law authorizing the building a dam across Rock river, at Dixon; which was read, and

On motion of Mr. Ruggles,

Referred to the committee on Internal Navigation.

Mr. Ruggles presented petitions from the citizens of Winnebago and Ogle counties, praying that a tax may be levied for the improvement of Rock river; which, without reading, were on his motion, referred to the committee on Internal Navigation.

Mr. Ruggles presented the petition of 40 citizens of Ogle and Lee counties, praying for the relocation of a part of a certain State road therein named; which, without reading, was on his motion, referred to the committee on Public Roads.

Mr. Cavarly, from the joint judiciary committee of the two Houses, reported chapter 9 of the Revised Statutes; which was read, and

Ordered to a second reading.

On motion of Mr. McMurtry,

The rule was dispensed with, said chapter read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Wynne, from the select committee, to which was referred the petitions and remonstrances of sundry citizens of Mason county, in relation to a ferry across the Illinois river, reported the same back, and said committee were discharged from a further consideration of the subject.

On motion of Mr. Wynne,

Said petitions were laid on the table.

Mr. Wynne asked and obtained leave to withdraw said petitions and remonstrances.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed a bill for "An act to amend the charter of the city of Quincy."

In the passage of which they ask the concurrence of the Senate.

Mr. Allen, from the select committee, to which was referred the petition of Wilson Rea, of Franklin county, reported a bill for "An act for the relief of Wilson Rea;" which was read, and

Ordered to a second reading.

Mr. Cavarly, from the committee on the Judiciary, to which was referred a bill for "An act for the relief of David Pinkerton, late collector of Greene county," reported the same back with an amendment.

Mr. Cavarly moved a call of the Senate; and the same having proceeded for some time,

Mr. McMurtry moved to dispense therewith; which was not agreed to.

On motion of Mr. Cavarly,

The order of business, during the pendency of the call of the Senate was suspended, and the resolutions from the House of Representatives on the subject of proposals for leasing the Penitentiary, and for changing the labor of the convicts therein, &c., were taken up for consideration.

On motion of Mr. Parker,

The further proceeding under the call of the Senate was dispensed with.

The question then being taken on concurring with the committee on the Judiciary in their amendment to the bill for "An act for the relief of David Pinkerton, late collector of Greene county," it was decided by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Buford, Cavarly, Constable, Davis, Dougherty, Dunlap, Henry, Johnson, Judd, Markley, McMillan, Powers, G. Smith, Warren, Waters, Worthington and Wynne—18.

Those voting in the negative, are,

Messrs. Boal, Crain, Edwards, Harris, Harrison, Killpatrick, Leviston, McMurtry, Minard, Morrison, Nunnally, Parker, Ruggles, Ryan, J. Smith, Thompson, Vandeventer and Webb—18.

There being a tie, Mr. Speaker voted in the affirmative, so the amendment was concurred in.

The question being taken: "Shall the bill as amended be engrossed for

a third reading?" It was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Cavarly, Constable, Davis, Dougherty, Dunlap, Henry, Johnson, Judd, Markley, McMillan, Powers, G. Smith, Warren, Waters, Worthington and Wynne—17.

Those voting in the negative, are,

Messrs. Boal, Buford, Crain, Edwards, Harris, Harrison, Killpatrick, Leviston, McMurtry, Minard, Morrison, Nunnally, Parker, Ruggles, Ryan, J. Smith, Thompson, Vandeventer and Webb—19.

Mr. Cavarly, from the committee on the Judiciary, to which was referred a bill for "An act entitled an act for the further restriction of imprisonment for debt," reported the same back with an amendment.

Mr. Killpatrick moved to amend the proposed amendment by striking out the 3d section; which was not agreed to.

Mr. Ruggles moved to amend the proposed amendment by striking out the words "and fifty cents" after the word "dollar" in the third section; which was not agreed to.

Mr. Johnson moved to amend the proposed amendment by striking out the word "one dollar and," in the third section; which was not agreed to.

Mr. Edwards moved to lay the bill and proposed amendment on the table; which was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Buford, Constable, Davis, Edwards, Harrison, Johnson, Mateson, McMurtry, Minard, Ruggles, G. Smith and Vandeventer—12.

Those voting in the negative, are,

Messrs. Allen, Boal, Cavarly, Crain, Dougherty, Dunlap, Forman, Harris, Henry, Judd, Killpatrick, Leviston, Markley, McMillan, Morrison, Nunnally, Parker, Powers, J. Smith, Warren, Waters, Worthington and Wynne—23.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The question recurring on the question pending at the time of adjournment, which was upon concurring with the committee on the judiciary in their amendments to the bill for "An act entitled 'An act for the further restriction of imprisonment for debt.'"

And the question being taken, it was decided in the affirmative.

Mr. Davis moved to amend said bill by striking out all after the enacting clause, and add as follows:

"That the provisions of an act entitled 'An act for the relief of insolvent debtors,' approved January 12th, 1829, shall extend to all persons who may be detained in custody on an execution issued on judgments obtained in actions of trespass, trover, or any action for tort.

On motion of Mr. Dougherty,

The bill and proposed amendment were referred to the committee on the Judiciary.

On motion of Mr. Cavarly,

The order of business was suspended, and the resolutions from the House of Representatives under consideration this morning, during the pendency of a call of the Senate, in relation to the leasing of the Penitentiary, &c., were taken up, read, and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion,

The Senate adjourned.

THURSDAY, JANUARY 30, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Edson.

Mr. Worthington presented the petition of A. Mosher and 24 others, praying that the name of the town of Fairfield, in Pike county, be changed to that of Pleasant Hill; which, without reading, was on his motion, referred to a select committee.

Ordered, That Messrs. Worthington, J. Smith and Killpatrick be that committee.

Mr. Harris presented the petition of forty-six citizens of Macoupin county, praying for an alteration in the school law; which, without reading, was on his motion, referred to the committee on School Lands and Education.

Mr. Dougherty, from the committee on the Judiciary, reported a bill entitled "An act fixing the times of holding circuit courts in the third judicial circuit;" which was read, and

Ordered to a second reading.

On motion of Mr. Dougherty,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed for a third reading.

On motion of Mr. Dougherty,

The rule was further dispensed with, said bill read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

Mr. Cavarly, from the committee on the Judiciary, to which was referred the bill entitled "An act to perfect the apportionment of school funds to Will county," reported the same back with an amendment, which was concurred in, and said bill as amended, was

Ordered to be engrossed for a third reading.

Mr. Warren offered for adoption the following preamble and resolutions, which lie one day on the table:

Whereas: In the triumphant struggle of our revolutionary fathers with their oppressors of the old world, the great principles of human equality and human liberty were developed and established as a part of the public and fundamental law of the American States; and whereas, we regard no one of those principles as better settled than the principle that the majority of the people have at all times an inalienable and indefeasible

right to institute, reform, alter, modify or abolish government in such manner as they judge most conducive to the public weal; and whereas, all violations of these elementary principles, these fundamental laws of our republic should be promptly met by the moral sanction of a general public condemnation: Therefore,

Resolved by the Senate of the State of Illinois, the House of Representatives of the same State concurring herein, That the constitution of the State of Rhode Island, adopted and ratified by a majority of the people of that State in the month of December, in the year one thousand eight hundred and forty-one, by such adoption and ratification, became and was the fundamental law of that State, and the government organized in pursuance thereof, its legitimate government.

Resolved, That the acting government of Rhode Island is a tyrannous and unjust usurpation by the few of powers and rights, that by the laws of nature, by the fundamental laws of this republic, and by the immutable principles of justice belong to the whole people; and that as such usurpation, it deserves and should receive the unqualified condemnation of this State, and of every other State of the republic.

Resolved, That in our opinion, not only is the acting government of Rhode Island a tyrannous usurpation, but that it has administered the powers usurped in the spirit of tyranny; that its act of legislation declaring it treason to hold any of the principal officers under the constitution adopted by the people, which it might become a government asserting the divine right of kings, is an outrage upon human rights, unparalleled in republican history.

Resolved, That in Thomas Wilson Dorr, now suffering imprisonment in its worst and most aggravated forms by order of the acting government of Rhode Island, we recognize a noble martyr, in the cause of human liberty; in that same cause, in which human blood flowed like water, during "the days that tried men's souls;" and that we wish him a speedy disenfranchisement, not by the mercy of his tyrants, but through the bold and determined assertion of the rights and power of the majority of the people of his own State.

Resolved, That, for ourselves and the people of the State whose representatives we are, we tender to the people of Rhode Island, struggling against their present oppressors, our sincere and ardent sympathies; that our hopes and our prayers are with them in the contest; and that we will rejoice on that day, when, through their triumph, the Island State shall emerge from the clouds that now darken and obscure her political horizon into the bright light of republican liberty, regenerated and purified—an ornament to the confederacy, and an illustration of the most vital principle of free government.

Mr. Warren moved that the rule be dispensed with, and said preamble and resolutions considered now; and the question being taken thereon, it was decided by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Allen, Cavarly, Constable, Crain, Dougherty, Dunlap, Harris, Judd, Killpatrick, Leviston, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Nunnally, Parker, Ryan, J. Smith, Thompson, Vandeventer, Warren, Wilbanks and Wynne—25.

Those voting in the negative, are,

Messrs. Boal, Edwards, Fithian, Harrison, Henry, Johnson, Ruggles, G. Smith, Waters, Webb and Worthington—11.

Three-fourths not voting in the affirmative, the motion to dispense with the rule was lost.

Mr. Markley offered for adoption the following resolution, which lies one day on the table:

Resolved, That the standing hour for the Senate to meet in the morning shall be at nine o'clock, and that on a call of the Senate the names of absentees be entered on the journal.

The orders of the day were taken up.

Senate bills on their third reading.

The bills entitled "An act to establish the Cook county court;" and "An act to authorize William Clapp and John Hodges to collect taxes;" were severally read a third time and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bills.

The bill entitled "An act to confirm Jeremiah Crotty's title to certain improvements therein named," was read a third time.

And on the question "Shall the bill pass?" It was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Edwards, Fithian, Forman, Harrison, Henry, Johnson, Judd, Killpatrick, Leviston, Matteson, McMurtry, Minard, Powers, Ruggles, Ryan, G. Smith, Thompson, Warren, Waters, Webb, Wilbanks and Wynne—24.

Those voting in the negative, are,

Messrs. Cavarly, Constable, Crain, Dunlap, Harris, Markley, McMillan, Morrison, Nunnally, Parker, J. Smith, Vandeverter and Worthington—13.

On motion of Mr. Cavarly,

The title of said bill was amended, so as to make it read as follows:

"An act to authorize the acting Canal commissioner to exchange certain lands with Jeremiah Crotty."

Ordered, That the title be as amended and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

Chapters 1, 4, and 5 of the "Revised Statutes" were severally read a third time and passed.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Bills on their second reading.

The bill entitled "An act to amend an act entitled 'An act to establish seven congressional districts,'" was read a second time.

Mr. Dougherty moved to amend the same by filling the blank with the word "forty."

Mr. Killpatrick moved that the further consideration of said bill and proposed amendment be postponed until the first day of September next.

Mr. Markley moved a call of the Senate; which having progressed some time, was

On motion of Mr. Forman,

Dispensed with.

The question being taken on the motion to postpone until the first of September next, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Constable, Edwards, Fithian, Forman, Harrison, Henry, Johnson, Killpatrick, Minard, Nunnally, Powers, Ruggles, J. Smith, G. Smith, Waters, Webb and Worthington—18.

Those voting in the negative, are,

Messrs. Allen, Cavarly, Crain, Dougherty, Dunlap, Harris, Judd, Leviston, Markley, Matteson, McMillan, McMurtry, Morrison, Parker, Ryan, Thompson, Vandeventer, Warren and Wynne—19.

Mr. Forman moved to refer said bill and the proposed amendment to the committee on Elections; which was not agreed to.

And the question being taken on the adoption of the proposed amendment, it was decided in the affirmative.

And on the question "Shall said bill as amended be engrossed and read a third time?" It was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Cavarly, Crain, Dougherty, Dunlap, Harris, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Vandeventer and Warren—13.

Those voting in the negative, are,

Messrs. Allen, Boal, Constable, Edwards, Fithian, Forman, Harrison, Henry, Johnson, Judd, Killpatrick, McMillan, Morrison, Parker, Powers, Ruggles, Ryan, J. Smith, G. Smith, Thompson, Waters, Webb, Worthington and Wynne—24.

The bill entitled "An act authorising David Anderson to keep a ferry across the Kaskaskia river," was read a second time, and

Ordered to be engrossed for a third reading.

The bill entitled "An act for the relief of Wilson Rea," was read a second time.

Mr. Constable moved to refer said bill to the committee on Salines.

On motion of Mr. Parker,

The motion to refer was laid on the table.

Mr. Constable moved to amend said bill by inserting after the word "State" in the preamble, as follows: "And whereas, also, John Golden of the county of Clay, was likewise convicted of a similar offence in the circuit court of Clay county, and subjected to the like punishment." Also, insert after the word "Rea" the words "and John Golden;" which was agreed to, and said bill as amended,

Ordered to be engrossed for a third reading.

The bill entitled "An act to legalize the acts of deputy recorders in certain cases, and to provide for their appointment," was read a second time, and

Ordered to be engrossed for a third reading.

The bill contained in the message from the House of Representatives entitled "An act for the relief of the securities of Richard J. Hill, deceased—

ed," as amended by them was read, and the amendments of the House of Representatives concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

Bills from the House of Representatives:

The bill for "An act to limit the jurisdiction of justices of the peace," was read, and

Ordered to a second reading.

On motion of Mr. Parker,

The rule was dispensed with, said bill read a second time by its title, and referred to the committee on the Judiciary.

Bills of the following titles:

"An act for the relief of certain persons therein named;"

"An act to limit the duties of public administrators;"

"An act to locate a State road from Batavia, in Kane county, to David Bennetts in Du Page county;"

"An act concerning the revenue;"

"An act supplementary to an act, entitled 'An act relative to criminal jurisprudence;'"

"An act to legalize the sale of School lands in Adams county;" and

"An act for the collection of taxes in Perry county, for the year 1843," were severally read, and

Ordered to a second reading.

The bill for "An act limiting the power of taxation in the city of Chicago," was read, and

Ordered to a second reading.

On motion of Mr. Judd,

The rule was dispensed with, said bill read a second time by its title.

On motion of Mr. Judd,

The bill was amended by inserting after the word "tax" the word "annually," and the bill as amended,

Ordered to a third reading.

On motion of Mr. Judd,

The rule was further dispensed with, said bill read a third time by its title and passed.

The bills for "An act to incorporate the Georgetown Seminary, in the county of Vermilion;" and

"An act to authorize the school commissioner of Jo Daviess county to distribute school funds," were severally read,

Ordered to a second reading,

And the rule having been dispensed with, on motion, said bills were read a second time by their titles, and

Ordered to a third reading.

And the rule having been, on motion, further dispensed with, the same were respectively read a third time by their titles and passed.

Ordered, That the titles be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bills, and ask their concurrence in the amendment of the Senate.

Bills for "An act to change the name of the town of Newburgh, in Macoupin county, to Cummington;" and

"An act to authorize the school commissioner of La Salle county, to

pay over certain moneys to the counties of Grundy and Kendall," were severally read, and

Ordered to a second reading.

And the rule having been on motion, dispensed with, the same were read a second time by their titles, and

Ordered to a third reading.

The bill for "An act granting further time to make return of the number of scholars in township ten north, range eight east, in the county of Cumberland," was read, and

Ordered to a second reading.

On motion of Mr. Parker,

The rule was dispensed with, said bill read a second time by its title, and

On motion of Mr. Powers,

Referred to the committee on School Lands and Education.

On motion,

The Senate adjourned until two o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The bill entitled "An act to incorporate the Pecria Musical Association," was read, and

Ordered to a second reading.

On motion of Mr. Thompson,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

The bill entitled "An act to incorporate the Franklin Literary and Medical college of Illinois," was read, and

Ordered to a second reading.

On motion of Mr. Harrison,

The rule was dispensed with, said bill read a second time by its title, and referred to the committee on Incorporations.

The bill entitled "An act to legalize the assessment of property and collection of taxes in the counties of Washington and Effingham," was read, and

Ordered to a second reading.

On motion of Mr. Crain,

The rule was dispensed with, said bill read a second time by its title, and

On motion of Mr. Cavarly,

Referred to the committee on Finance.

A message from the Council of Revision, by Mr. Hawley, their Secretary:

Mr. Speaker: I am directed to say that the Council of Revision has approved bills of the following titles, to wit:

"An act authorizing an additional justice of the peace and constable in Grayville precinct, in White county;"

"An act to enable the inhabitants of Elgin, in Kane county, to keep in repair a bridge across Fox river;"

"An act to amend the charter of the city of Galena;"

"An act to authorize Rice Fay to build a mill-dam across Fox river;"

"An act to amend the several laws allowing Illinois and Michigan canal lands to be taxed and sold for taxes;"

"An act for the permanent location of the seat of justice of Moultrie county;"

"An act to repeal the act entitled 'An act to incorporate the city of Nauvoo,' " approved December 16th, 1840.

The bill entitled "An act to amend an act to protect the canal lands against trespasses;" approved March 4th, 1837, and

"An act to amend an act entitled 'An act to protect the canal lands against trespasses,'" approved February 26th, 1839, was read, and

Ordered to a second reading.

On motion of Mr. Judd,

The rule was dispensed with, said bill read a second time by its title, and referred to the committee on Canals and Canal Lands.

The bill entitled "An act for the removal of the seat of justice of Randolph county," was read, and

Ordered to a second reading.

On motion of Mr. Morrison,

The rule was dispensed with, said bill read a second time by its title, and referred to the committee on Counties.

The bills entitled "An act to repeal an act entitled 'An act for the benefit of Robert Richey,'" approved February 6th, 1835; and

"An act in relation to the duties of master in chancery," were severally read, and

Ordered to a second reading.

The preamble and resolutions contained in the message from the House of Representatives, requiring the Auditor to postpone the bringing of suits against delinquent collectors, were read and adopted:

Ordered, That the Secretary inform the House of Representatives thereof.

The resolution offered some days since, in relation to the adjournment of the two Houses *sine die* being under consideration,

Mr. Minard moved to lay the same on the table; which was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Forman, Harris, Harrison, Judd, Killpatrick, Markley, McMillan, Minard, Morrison, Ruggles, G. Smith, Vandeventer and Wynne—13.

Those voting in the negative, are,

Messrs. Allen, Boal, Cavarly, Crain, Davis, Dougherty, Dunlap, Edwards, Fithian, Henry, Johnson, Leviston, Matteson, Nunnally, Parker, J. Smith, Thompson, Warren, Webb and Worthington—20.

Mr. Webb moved to amend said resolution by striking out the word "third," and insert "seventeenth" in lieu thereof.

Mr. Markley moved to lay the resolution and proposed amendment on the table until the 10th day of February next; which was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Harrison, Markley, McMillan, McMurtry, Minard, Nunnally, Powers, Ruggles, G. Smith and Thompson—11.

Those voting in the negative, are,

Messrs. Boal, Cavarly, Crain, Davis, Dougherty, Dunlap, Edwards, Fithian, Forman, Harris, Johnson, Judd, Killpatrick, Leviston, Matteson, Morrison, Parker, Ryan, J. Smith, Vandeventer, Warren, Waters, Webb, Worthington and Wynne—25.

Mr. McMurtry moved to refer said resolution and proposed amendment to the joint committee of the two Houses on that subject.

Mr. Davis moved to lay the motion to refer to said committee on the table; which was not agreed to.

Mr. Vandeventer moved to amend the motion to refer by adding the following instructions, "to report by Saturday next."

Mr. McMurtry moved to amend the instructions by striking out the words "by Saturday next."

On motion of Mr. Forman,

The proposed instructions and the amendment to the same were laid on the table.

The question then being taken on the motion to refer to the joint select committee, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Cavarly, Harris, Johnson, Judd, Killpatrick, Markley, Matteson, McMurtry, Minard, Powers, Ruggles, Ryan, G. Smith, Thompson and Wynne—15.

Those voting in the negative, are,

Messrs. Allen, Boal, Crain, Davis, Dougherty, Dunlap, Edwards, Fithian, Forman, Harrison, Leviston, Morrison, Nunnally, Parker, J. Smith, Vandeventer, Warren, Waters, Webb and Worthington—20.

Mr. McMurtry moved to amend by striking out the words "third day of February" and insert "first Monday in March," in lieu thereof.

Mr. Webb moved the previous question:

And on the question: "Shall the main question be now put?" It was decided in the affirmative.

And the question recurring on the motion to amend by striking out "3d day of February," and inserting "first Monday in March."

Mr. Cavarly called for a division of the question.

The question being first taken on striking out the words "3d day of February," it was decided in the negative.

The question then recurring on the motion to amend by striking out "third" and inserting "seventeenth" in lieu thereof.

Mr. Judd called for a division of the question.

And the question being taken on striking out "3d," was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Cavarly, Davis, Dougherty, Dunlap, Fithian, Harrison, Henry, Johnson, Killpatrick, Leviston, Markley, Matteson, Parker, Powers, J. Smith, Thompson, Vandeventer, Webb and Worthington—21.

Those voting in the negative, are,

Messrs. Crain, Edwards, Forman, Harris, Judd, McMurtry, Minard,

Morrison, Nunnally, Ruggles, Ryan, G. Smith, Warren, Waters and Wynne—15.

The question being taken on inserting "17th," it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Crain, Davis, Dougherty, Dunlap, Edwards, Fithian, Forman, Harris, Harrison, Henry, Leviston, Matteson, Nunnally, Parker, J. Smith, G. Smith, Thompson, Vandeventer, Waters, Webb and Worthington—23.

Those voting in the negative, are,

Messrs. Cavarly, Johnson, Judd, Killpatrick, Markley, McMillan, McMurtry, Minard, Morrison, Powers, Ruggles, Ryan, Warren and Wynne—14.

The question then being taken on the adoption of the resolution as amended, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Crain, Davis, Dougherty, Edwards, Fithian, Forman, Harrison, Henry, Leviston, Matteson, Morrison, Nunnally, Parker, J. Smith, G. Smith, Thompson, Vandeventer, Waters, Webb and Worthington—22.

Those voting in the negative, are,

Messrs. Cavarly, Dunlap, Harris, Judd, Killpatrick, Markley, McMillan, McMurtry, Minard, Powers, Ruggles, Ryan, Warren and Wynne—14.

Ordered, That the Secretary inform the House of Representatives thereof.

The preamble and resolutions offered by Mr. Warren, in relation to the school fund, the interest on the same, &c., being under consideration,

Mr. Nunnally moved that they be laid on the table; and the question being taken thereon, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Harrison, Henry, Judd, Killpatrick, Markley, Matteson, Minard, Nunnally, Powers, Ryan, G. Smith and Vandeventer—13.

Those voting in the negative, are,

Messrs. Allen, Cavarly, Crain, Dougherty, Dunlap, Fithian, Forman, Harris, Leviston, McMillan, McMurtry, Morrison, Parker, Ruggles, J. Smith, Thompson, Warren and Webb—18.

Mr. Markley moved to amend the last of said resolutions by adding thereto the words "provided that each county receive in proportion to the amount they pay."

On motion of Mr. Killpatrick,

The preamble and resolutions and proposed amendment were referred to the committee on School Lands and Education.

Mr. Cavarly, from the joint judiciary committee of the two Houses, reported chapter 10 of the Revised Statutes, which was read, and

Ordered to a second reading.

On motion of Mr. Cavarly,

The rule was dispensed with, said chapter read a second time,

Mr. G. Smith moved to amend the same by striking out the word "fifty" in the fourth line, and inserting "one hundred in lieu thereof."

Mr. Worthington moved to amend by striking out "fifty" and inserting "two hundred;" which was decided in the negative, by yeas and nays, as follows:

Mr. Worthington voting in the affirmative—1.

Those voting in the negative, are,

Messrs. Allen, Boal, Cavarly, Crain, Dougherty, Dunlap, Edwards, Fithian, Harris, Harrison, Henry, Johnson, Judd, Killpatrick, Leviston, Markley, Matteson, McMillan, McMurtry, Morrison, Nunnally, Parker, Powers, Ruggles, J. Smith, G. Smith, Thompson, Vandeventer, Warren, Waters, Webb and Wyne—32.

The question then being taken on the motion to strike out "fifty" and insert "one hundred," it was decided in the affirmative.

And said chapter was

Ordered to be engrossed as amended for a third reading.

On motion,

The Senate adjourned.

FRIDAY JANUARY 31, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Richmond.

A message from the House of Representatives, by Mr. Boyakin, a member of the House:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed a bill for "An act entitled 'An act to legalize the assessment of taxable property in Perry county.'"

In the passage of which they ask the concurrence of the Senate.

The House have also adopted the accompanying preamble and resolutions on the subject of amending the constitution of the United States.

In the adoption of which they ask the concurrence of the Senate.

Mr. Buford presented the petition of 53 citizens of Rock Island county, praying for the passage of a law granting them a ferry at the town of Rock Island; which was read, and

On motion Mr. Buford,

Referred to the committee on the Judiciary.

Mr. Dougherty presented the petition and accompanying documents of John H. Deck, praying a compensation for the arrest of John Donner, a fugitive from justice; which, without reading, were on his motion, referred to the committee on Finance.

Mr. Edwards presented the memorial of James M. Morse, in relation to territorial and other records of Illinois; which was read, and on his motion, referred to the committee on Public Accounts and Expenditures.

Mr. McMillan presented the petition of W. L. Head, of McDonough county, praying that the transcript of the records of lands situate in McDonough county, and recorded in Madison county be legalized; which was read, and

On motion of Mr. McMillan,

Referred to a select committee.

Ordered, That Messrs. McMillan, McMurtry and Worthington be that committee.

Mr. McMillan presented the petition of James C. Porter and 98 other citizens of Warren and Mercer counties, praying the passage of a law to prevent the desecration of the Sabbath; which, without reading, was on his motion referred to the same select committee to which other petitions have heretofore been referred on the same subject.

Mr. Allen presented the petition of 135 citizens of Williamson county, praying the location of a State road from Marion in said county to Equality in Gallatin county; which, without reading, was on his motion, referred to the committee on Public Roads.

Mr. Matteson, from the committee on Finance, to which was referred a bill entitled "An act for the relief of the securities of Thomas Hayden," reported the same back with an amendment; which was concurred in, and said bill as amended, was

Ordered to be engrossed for a third reading.

Mr. Thompson, from the committee on School Lands and Education, to which was referred the bill from the House of Representatives, entitled "An act granting further time to make return of the number of scholars in township ten north, range eight east, in the county of Cumberland," reported the same back without amendment; said bill was

Ordered to a third reading.

Mr. Ryan, from the committee on Canals and Canal Lands, to which was referred the bill from the House of Representatives, entitled "An act to amend 'An act to protect the canal lands against trespasses,'" approved March 4th 1837; and

"An act to amend an act, entitled 'An act to protect the canal lands against trespasses,'" approved February 26th 1839, reported the same back without amendment and recommended its passage; said bill was

Ordered to a third reading.

Mr. Ryan moved that the rule be dispensed with, and that said bill be now read a third time; which was not agreed to.

Mr. Morrison, from the committee on Finance, to which was referred the bill from the House of Representatives, entitled "An act to legalize the assessment of property and collection of taxes in the counties of Washington and Effingham," reported the same back without amendment; said bill was

Ordered to a third reading.

On motion of Mr. Crain,

The rule was dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Dougherty, from the committee on Internal Improvements, reported a bill entitled "An act to ascertain the amount of the State debt, preparatory to a provision to pay the same by taxation;" which was read, and

Ordered to a second reading.

On motion of Mr. Dougherty,

The rule was dispensed with, said bill read a second time by its title, and

Referred to the committee on Finance.

Mr. Wynne, from the committee on enrolled bills, reported as correctly enrolled the bill entitled:

"An act for the relief of the securities of Richard J. Hill, deceased," and that said bill has this day been laid before the Council of Revision.

Mr. Warren, on leave, offered for adoption the following order:

Ordered, That the House of Representatives be respectfully requested to return to the Senate the resolution adopted by the Senate on yesterday, respecting the adjournment of both branches of this General Assembly on the 17th day of February.

Mr. Nunnally moved to lay said order on the table; which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Constable, Crain, Davis, Dougherty, Edwards, Fithian, Fornian, Henry, Killpatrick, Leviston, Nunnally, Parker, Powers, Ruggles, J. Smith, Vandeventer, Waters, Webb and Worthington—20.

Those voting in the negative, are,

Messrs. Allen, Buford, Cavarly, Dunlap, Harris, Johnson, Judd, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Ryan, G. Smith, Thompson, Warren, and Wynne—18.

Mr. Cavarly, from the joint judiciary committee of the two Houses reported chapters 17 and 18 of the Revised Statutes; which were read, and

Ordered to a second reading.

On motion of Mr. Cavarly,

The rule was dispensed with, and said chapters severally read a second time.

Mr. Killpatrick moved to amend the 5th section of chapter 18, by striking out the first sentence of the proviso therein.

Mr. McMurtry moved that the amendment be laid on the table; which was not agreed to.

Mr. Parker moved that the proposed amendment be amended by adding after the word "child," in the 5th line of said proviso, the words "at any time after said child shall arrive at the age of three years."

Mr. McMillan moved that the amendment to the amendment be laid on the table; which was not agreed to.

The question then being taken on the adoption of the amendment to the amendment, it was decided in the affirmative.

Mr. McMurtry moved that the amendment as amended be laid on the table; which was not agreed to.

The question then being taken on the motion to amend by striking out, as amended, it was decided in the negative.

Ordered, That chapter 17 and chapter 18 as amended be engrossed for a third reading.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. McMillan, from the select committee, to which was referred certain petitions relative to Sabbath breaking, reported a bill for "An act to amend 'An act to preserve good order in all worshipping congregations and societies in this State,'" approved March 1, 1833; and

"An act to amend the 'Act relative to criminal jurisprudence;'" approved Jan. 29, 1829; was read, and

Ordered to a second reading.

Mr. G. Smith moved that the rule be dispensed with, and that said bill be read a second time by its title; which was not agreed to.

Mr. Forman, from the joint select committee, to which was referred so much of the Governor's communication, touching the transactions of the Fund Commissioner's office as relates to the demands of the State against John Tillson, Jr., made report accompanied by the following resolution:

Resolved, That his excellency the Governor, as *ex officio* Fund Commissioner be required to receive from John Tillson, Jr. his satisfactory deed of conveyance of the Quincy House and lots appertaining thereto, together with an absolute bill of sale to the State of Illinois, of all the furniture belonging to the same, and that possession thereof be delivered to the Governor, or his agent, on or before the first day of April, 1845; and upon the execution and delivery of said deed and bill of sale as aforesaid, the said Governor is required to execute and deliver to the said John Tillson, Jr. a full and satisfactory discharge and release from all his liabilities to said State, and to cancel all obligations now held by said State against John Tillson, Jr.

Mr. Killpatrick moved that the resolution be referred to the committee on Finance with instructions:

"To inquire if the late Fund Commissioner, General Whiteside and his securities, are not liable for the forty bonds left by him in the hands of Mr. Tillson, and report to the Senate at as early a day as possible."

On motion of Mr. Warren,

The resolution and motion to refer with instructions were laid on the table.

Mr. Dougherty, from the select committee, to which was referred the petition of Gilbert Leroy and 142 others, of Pulaski county, reported a bill for "An act for the relief of Henry Castor and others;" which was read, and

Ordered to a second reading.

On motion of Mr. Dougherty,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed for a third reading.

On motion of Mr. Cavarly,

The vote last given was re-considered, and said bill referred to a select committee of five.

Ordered, That Messrs. Cavarly, Dougherty, Harris, G. Smith and Crain be that committee.

Mr. Forman offered for adoption the following resolution:

Resolved by the Senate, the House of Representatives concurring herein, That no part of the revision of the laws now being made, nor any of the laws passed at the present session of the General Assembly, shall be put in the hands of the printer by the Secretary of State, until the whole revision shall have been completed.

On motion of Mr. Forman,

The rule was dispensed with, and said resolution considered, and

On motion of Mr. Dougherty,

Laid on the table.

Mr. Killpatrick offered for adoption the following resolution, which lies one day on the table:

Resolved, That the committee on Finance be instructed to ascertain whether the late Fund Commissioner, General Whiteside and his securities, are not liable for the number and amount of State bonds left by him in the hands of Mr. John Tillson, and report to the Senate as soon as practicable.

Mr. Johnson offered for adoption the following preamble and resolution, and the rule having been,

On motion of Mr. McMurtry,

Dispensed with, the same were considered:

Whereas, The people of this State call loudly for retrenchment in the public expenditures, particularly a reduction in the fees and salaries of public officers, both county and State; and whereas, the people expect of the present General Assembly, the passage of a bill making such reduction; and whereas, several bills have been introduced in the Senate to effect the desired object, all of which have been referred to the committee on Retrenchment; and whereas, said committee have for some cause permitted said bills to remain for some time in their hands without reporting the same back to the Senate; and whereas, the session of the Legislature is fast drawing to a close, and there is great danger that if said bills are permitted to sleep in the hands of said committee much longer they will sleep the sleep of their everlasting death by the adjournment of the Legislature without taking further action on the subject: Therefore,

Resolved, That said Retrenchment committee be required to report said bill back to the Senate as soon as practicable, or as soon as said committee can give the subject their proper attention.

Mr. Judd moved to amend the preamble by inserting after the word "retrenchment," in the 11th line the following:

"And whereas, the said bills were in the hands of a select committee a long time previous to their reference to the committee on Retrenchment, without any action by said committee, and it was not until within a few days that said bills were referred to the committee on Retrenchment."

On motion of Mr. Constable,

The preamble and resolution and amendment were laid on the table.

Mr. Vandeventer, on leave, introduced a bill entitled "An act for the relief of Thomas S. Brockman, late collector of Brown county;" which was read, and

Ordered to a second reading.

On motion of Mr. Vandeventer,

The rule was dispensed with, and said bill read a second time by its title.

On motion of Mr. Vandeventer,

The rule was further dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform

the House of Representatives thereof, and ask their concurrence in the passage of said bill.

Mr. Buford, on leave, introduced a bill entitled "An act to authorise the President and board of trustees of the town of Rock Island to keep a ferry across the Mississippi river;" which was read, and

Ordered to a second reading.

On motion of Mr. Buford,

The rule was dispensed with, said bill read a second time by its title, and

Referred to the committee on the Judiciary.

Mr. Boal, on leave, introduced a bill entitled "An act to legalize the location of the county seat of Woodford county, and to change the name of the county seat thereof;" which was read, and

Ordered to a second reading.

On motion of Mr. Boal,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed for a third reading.

The orders of the day were taken up.

Chapters 9 and 10 of the Revised Statutes, were severally read a third time and passed.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Constable moved that the Senate adjourn; which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Constable, Crain, Dunlap, Edwards, Fithian, Forman, Judd, McMillan, Mc Murtry, Morrison, Nunnally, Parker, Powers, Thompson, Waters, Webb, Worthington and Wynne—20.

Those voting in the negative, are,

Messrs. Caverly, Harris, Henry, Johnson, Killpatrick, Leviston, Markley, Matteson, Minard, Ruggles, J. Smith, G. Smith, Vandeventer and Warren—14.

SATURDAY, FEBRUARY 1, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Bergen.

Mr. Minard presented the petition of 65 legal voters of Aurora, praying the passage of "An act to correct an error in the recorded plat of said town;" which, without reading, was referred to the committee on Incorporations.

Mr. Buford presented the petition of sundry citizens of Illinois City, in Rock Island county, praying a vacation of a part of said city; which without reading, was on his motion, referred to the committee on the Judiciary.

Mr. Ruggles presented the petition of sundry citizens of Ogle county, praying for "An act of incorporation for hydraulic purposes;" which, without reading, was on his motion, referred to the committee on Internal Navigation.

Mr. Allen presented the petition of sundry citizens of Gallatin county,

praying the location of a State road from Marion in Williamson county, to Equality in Gallatin county; which, without reading, was on his motion, referred to the committee on Public Roads.

Mr. Cavarly, from the joint judiciary committee of the two Houses, reported chapter 20 of the Revised Statutes; which was read, and *Ordered* to a second reading.

On motion of Mr. McMurtry,

The rule was dispensed with, said chapter read a second time, and *Ordered* to be engrossed for a third reading,

Mr. Minard, from the committee on Retrenchment, to which was referred the bill entitled "An act to fix the salaries, fees and compensation of all the officers of State and other persons, and to reduce the present salaries, fees and compensation at the rate of twenty-five per centum," reported the same back with an amendment.

On motion of Mr. Cavarly,

Said bill and proposed amendment were referred to the committee of the whole Senate.

Mr. Minard, from the same committee, to which was referred a bill entitled "An act to reduce the fees of public officers," reported the same back without amendment.

On motion of Mr. Cavarly,

Said bill was referred to the committee of the whole Senate.

On motion of Mr. Harris,

The order of business was dispensed with, and the bill some days since laid on the table entitled "An act concerning estrays, together with the proposed amendment thereto, reported from a select committee, was taken up for consideration.

And the question being taken on the adoption of the proposed amendment, it was decided in the affirmative.

Mr. Johnson moved to recommit said bill to the said select committee with the following instructions:

"To amend the bill so as to require the taker up to give bond and security for good usage to the property and forthcoming for the value of the property to the owner, where the same becomes vested in the taker up."

On motion of Mr. McMurtry,

The motion to refer with instructions was laid on the table, and said bill as amended, was

Ordered to be engrossed for a third reading.

Mr. Nunnally, from the committee on Public Accounts and Expenditures, to which was referred the memorial of James M. Morse, reported a bill entitled "An act concerning the territorial and other records of Illinois;" which was read, and

Ordered to a second reading.

Mr. Nunnally moved to dispense with the rule and that said bill be read now a second time by its title; which was not agreed to.

Mr. Edwards, from the committee on Internal Improvements, reported the following preamble and resolution; and on his motion, the rule was dispensed with, said preamble and resolution read and adopted, as follows:

Whereas, The Governor in his communication to the House of Representatives, in relation to the Northern Cross railroad, states that he has

received two propositions for the purchase of said road and thinks it probable the same can be sold for State indebtedness, Therefore,

Resolved by the Senate, That the Governor be requested to inform the Senate what propositions he has received for the purchase of said road.

Mr. Cavarly, from the select committee, to which was referred the bill entitled

"An act for the relief of Henry Castor and others, reported the same back with an amendment

On motion of Mr. Warren,

Said bill and proposed amendment were re-committed to the same select committee.

Mr. Parker offered for adoption the following resolution, which lies one day on the table:

Resolved by the Senate, the House of Representatives concurring herein, That both branches of this General Assembly meet in the Hall of the House of Representatives on Saturday, the 8th of February, at 2 o'clock, P. M., for the purpose of electing a Treasurer and Auditor of Public Accounts for the State of Illinois.

Mr. Vandeventer offered for adoption the following resolution:

Resolved by the Senate, the House of Representatives concurring herein, That both branches of the General Assembly meet in the Hall of the House, at 2 o'clock, P. M., on Wednesday, the 5th inst., for the purpose of electing three Supreme Judges to fill the vacancies occasioned by the death of Judge Robinson, and the resignation of Judges Douglass and Semple, also an Auditor and Treasurer.

Mr. Nunnally offered for adoption the following resolution:

Resolved, That the Governor be requested to inform the Senate, whether or not he has complied with a resolution of the last Legislature that requested him to collect and deface or destroy certain plates connected with our State indebtedness.

Mr. Vandeventer moved that the rule be dispensed with, in order that the resolution just offered by him be taken up for consideration; which was not agreed to.

Mr. Constable, from the committee on the Judiciary, to which was referred a bill entitled

"An act to authorize the payment to William Hall of certain moneys due him from the State of Illinois," reported the same back without amendment.

Mr. McMurtry moved to lay said bill on the table; which was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Buford, Cavarly, Crain, Dougherty, Harris, Markley, McMillan, McMurtry, Minard, J. Smith and Wynne—11.

Those voting in the negative, are,

Messrs. Allen, Boal, Constable, Dunlap, Fithian, Harrison, Henry, Johnson, Judd, Killpatrick, Matteson, Morrison, Nunnally, Parker, Ruggles, G. Smith, Thompson, Vandeventer, Warren, Webb and Worthington—21.

The question then being taken on ordering said bill to be engrossed for a third reading, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Constable, Fithian, Harrison, Henry, Killpatrick, Minard, Morrison, G. Smith, Vandeventer, Warren, Webb and Worthington—14.

Those voting in the negative, are,

Messrs. Buford, Cavarly, Crain, Dougherty, Dunlap, Edwards, Forman, Harris, Johnson, Judd, Leviston, Markley, Matteson, McMillan, McMurtry, Nunnally, Parker, Ruggles, J. Smith, Thompson, and Wynne—21.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Cavarly moved a call of the Senate; which proceeded.

On motion,

The Senate adjourned.

MONDAY, FEBRUARY 3, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Dresser.

On motion of Mr. Vandeventer,

The further proceedings under the call of the Senate, pending at the time of adjournment on Saturday was dispensed with.

A message from the Governor, by Thompson Campbell, Esq., Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a written communication.

Mr. Speaker laid before the Senate the communication of the Governor, just received in answer to a resolution of the Senate requesting him to report the proposals made to him for the purchase of the Northern Cross railroad; which was read, and

On motion of Mr. Parker,

Referred to the committee on Finance.

Mr. Markley presented the petition of sundry citizens of Fulton county, praying for an amendment of the school laws in relation to the re-appraisalment of school lands; which was read, and on his motion, referred to the committee on School Lands and Education.

Mr. Markley, from the committee on Internal Navigation, to whom was referred the petition of sundry citizens of Ogle county, reported a bill for

"An act to incorporate the Byron Hydraulic Company; which was read, and

Ordered to a second reading.

On motion of Mr. Ruggles,

The rule was dispensed with, said bill read a second time by its title, and

On motion of Mr. Dougherty,

Referred to the committee on Incorporations.

Mr. Vandeventer, from the committee on Incorporations, to which was referred a bill from the House of Representatives for

"An act to incorporate the Franklin Literary and Medical College of Illinois," reported the same back without amendment.

Ordered, That said bill be read a third time.

On motion of Mr. Harrison,

The rule was dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the concurrence of the Senate.

Mr. J. Smith, from the committee on Internal Navigation, to which was referred the petition of George H. Peck and others, reported a bill entitled

"An act to authorise Peck and Carpenter to build a mill dam across Fox River;" which was read, and

Ordered to a second reading.

Mr. Cavarly, from the joint judiciary committee of the two Houses, reported chapters 20 and 21 of the Revised Statutes.

Chapter 20 was read, and ordered to a second reading.

On motion of Mr. McMurtry,

The rule was dispensed with, said chapter read a second time by its title, and

Ordered to be engrossed for a third reading.

Chapter 21 was read, and ordered to a second reading.

On motion of Mr. McMurtry,

The rule was dispensed with, said chapter read a second time by its title, and

On motion of Mr. Edwards,

Said chapter was re-committed to the Joint Judiciary committee.

Mr. Allen, from the committee on the Judiciary, to which was referred the petition of William E. Franklin, reported a bill for

"An act to legalize the acts of William E. Franklin;" which was read, and

Ordered to a second reading.

On motion of Mr. Buford,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Cavarly, from the select committee, to which was referred the bill entitled

"An act for the relief of Henry Castor and others," reported the same back with an amendment which was concurred in, and said bill as amended,

Ordered to be engrossed for a third reading.

Mr. Worthington, from the select committee, to which was referred the petition of A. Mosher and others, reported a bill entitled

"An act to change the name of the town of Fairfield in Pike county to that of Pleasant Hill;" which was read, and

Ordered to a second reading.

On motion of Mr. Worthington,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed for a third reading.

On motion of Mr. Davis,

Ordered, That the Secretary of the Senate respectfully request the House of Representatives to return to the Senate the bill passed by the Senate some days since, entitled "An act to authorise Hannah G. Sharp to keep and maintain a ferry across the Mississippi river at Warsaw.

Mr. Fithian, on leave, introduced a bill for "An act authorising a sale of seminary lands in Champaign county;" which was read, and

Ordered to a second reading.

On motion of Mr. Fithian,

The rule was dispensed with, said bill read a second time by its title, and

Referred to the committee on School Lands and Education.

Mr. Leviston, on leave, introduced a bill entitled "An act to provide for the collection of certain moneys therein named;" which was read, and

Ordered to a second reading.

On motion of Mr. Leviston,

The rule was dispensed with, said bill read a second time by its title, and

On motion of Mr. Killpatrick,

Referred to the committee on Finance.

Mr. Parker, on leave, introduced a bill entitled "An act in relation to the acts of the clerk of the county commissioner's court of Cumberland county;" which was read, and

Ordered to a second reading.

On motion of Mr. Parker,

The rule was dispensed with, said bill read a second time by its title, and

Referred to the committee on the Judiciary.

Mr. Dunlap, on leave given, introduced a bill entitled "An act appointing a collector of the unpaid taxes for 1842, in Lawrence county;" which was read, and

Ordered to a second reading.

On motion of Mr. Dunlap,

The rule was dispensed with, said bill read a second time by its title, and

Referred to the committee on Finance.

The orders of the day were taken up.

Senate bills on their third reading:

The bill entitled "An act for the relief of Wilson Rea," was read a third time and passed.

On motion of Mr. Constable,

The title was amended by adding the words "and John Golden."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

The bill entitled "An act to perfect the apportionment of school funds to Will county;"

"An act to legalize the acts of deputy recorders in certain cases, and to provide for their appointment;"

"An act authorising David Anderson to keep a ferry across the Kaskaskia river;"

"An act for the relief of the securities of Thomas Hayden;"

"An act to legalize the location of the county seat of Woodford county, and to change the name of the county seat thereof;" and

"An act concerning estrays;"

Also chapters 17, 18 and 20 of the Revised Statutes, were severally read a third time and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of the same.

A message from the House of Representatives by Mr. Cloud, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have adopted the accompanying resolutions in favor of the re-annexation of Texas to the United States.

In the adoption of said resolutions they ask the concurrence of the Senate.

Senate bills on their second reading:

The bill entitled "An act to amend 'An act to preserve good order in all worshipping congregations and societies in this State,'" approved March 1, 1833; and

"An act to amend the 'Act relative to criminal jurisprudence,'" approved January 19, 1820, was read a second time.

Mr. McMurtry moved to lay said bill on the table until the 4th day of July next; which was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Davis, Dunlap, Forman, Harris, Leviston, Markley, McMurtry, Nunnally, J. Smith, Vandeventer, Webb and Wynne—12.

Those voting in the negative, are,

Messrs. Allen, Boal, Buford, Cavarly, Constable, Crain, Dougherty, Edwards, Fithian, Harrison, Henry, Johnson, Kilpatrick, Matteson, McMillan, Minard, Morrison, Parker, Ruggles, G. Smith, Thompson, Warren and Worthington—23.

On motion of Mr. Harris,

Said bill was referred to the committee on the Judiciary.

The bill entitled "An act concerning the territorial and other records of the State of Illinois," was read a second time.

Mr. Cavarly moved to refer said bill to the committee on the Judiciary.

Mr. Boal moved to amend the motion so as to make it a motion to refer with the following instructions:

"To report a bill forbidding all contracts to be made by any of the State officers unless by express authority of law."

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

A message from the Governor, by Thompson Campbell, Esq., Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a written communication.

Mr. Boal withdrew the instructions offered by him to the committee on the Judiciary, to which, by motion, it was proposed, before the adjournment to refer the bill for "An act concerning the territorial and other records of Illinois."

Mr. Fithian moved that said bill be referred to said committee with instructions:

"To examine the records transcribed, and to be transcribed by Mr. Morse, and report to the Senate the necessity and propriety of making such transcripts, as also the sum to be paid for the same so far as made, and whether or not such work can be discontinued now without detriment to the State."

Mr. Cavarly accepted the instructions as a modification of his original motion to refer to the committee on the Judiciary, and changed that motion so as to make it a motion to refer to the committee on Finance with said instructions.

Ordered, That said bill be referred to the committee on Finance with the last named instructions.

Mr. Cavarly from the joint judiciary committee of the two Houses, to which was re-committed chapter 21 of "Revised Statutes," reported the same back with an amendment; which was concurred in.

Mr. Killpatrick moved to amend the section of said chapter by striking out so much of it as relates to the assignment of certificates given for school lands; which was not agreed to.

Ordered, That said chapter as amended, be engrossed for a third reading.

Bills from the House of Representatives of the following titles:

"An act to incorporate the Peoria Musical Association;"

"An act to change the name of the town of Newburgh, in Macoupin county to Cummington;"

"An act to authorise the school commissioner of La Salle county to pay over certain moneys to the counties of Grundy and Kendall;" and

"An act granting further time to make return of the number of scholars in township ten north, range eight east in the county of Cumberland," were severally read a third time and passed.

Ordered, That the titles of said bills be respectively as aforesaid, and that the Secretary inform the House of Representatives of the concurrence of the Senate in the passage of said bills.

Mr. Speaker laid before the Senate the communication just received from the Governor and announced that the same was upon executive business.

On motion of Mr. Parker,

The said communication was acted upon with open doors, and read as follows:

EXECUTIVE DEPARTMENT,
Springfield, Feb. 3, 1845. }

To the Senate:

I nominate Bela Shaw to be Notary Public of Winnebago county, in place of Daniel Howell, removed from the county.

Erwin Bucher to be Notary Public of Wayne county, upon the petition of fifty voters.

Ephraim S. Swinney to be Notary Public of Warren county.

George H. Norris to be Notary Public of La Salle county, in place of H. G. Colton, resigned.

Albert Wilber to be Public Administrator of Ogle county, in place of Edwin S. Leland, resigned, and

Robert Parkenson to be Notary Public of Wabash county, in place of Joseph C. Orth, resigned.

THOMAS FORD.

On motion of Mr. Ruggles,

The above nominations were severally advised and consented to by the Senate.

On motion of Mr. Cavarly,

The order of business was suspended, and the Senate resolved itself into a committee of the whole, Mr. Constable in the chair, to take into consideration bills of the following titles:

"An act to reduce the fees of public officers;" and

"An act to fix the salaries, fees and compensation of all the officers of State and other persons, and to reduce the present salaries, fees and compensation at the rate of twenty-five per centum," with an amendment reported by the committee on Retrenchment.

After some time the committee rose, and by their chairman reported said bills back to the Senate without amendment.

On motion,

The Senate adjourned.

TUESDAY, FEBRUARY 4, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Hale.

A message from the House of Representatives, by Mr. Cloud, their Clerk:

Mr. Speaker: I am directed to inform the Senate, that the House of Representatives have passed bills of the following titles:

"An act to legalize the assessment of property in Menard county, for the year 1844," and

"An act in relation to the records of Sangamon county."

In the passage of which they ask the concurrence of the Senate.

Mr. Constable presented the petition of Richard Beck and 73 others, citizens of Wabash county, praying that resolutions be adopted by the present General Assembly, instructing our Senators, &c., to vote for an appropriation of land for the improvement of the Great Wabash river; which petition, without reading, was.

On motion of Mr. Constable,

Referred to the committee on Internal Navigation.

Mr. McMurtry presented the petition of sundry citizens of Knox county, praying for a State road from Toulon in Starke county to Oquaka, in Henderson county; which, without reading, was on his motion, referred to a select committee.

Ordered, That Messrs. McMurtry, McMillan and Thompson be that committee.

Mr. Vandeventer, from the committee on Incorporations, to which was referred the petition of the citizens of Aurora, reported a bill entitled "An act concerning the town of Aurora, in Kane county;" which was read, and

Ordered to a second reading.

On motion of Mr. Vandeventer,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Markley, from the committee on Internal Navigation, to which was referred the bill entitled "An act to incorporate the Rock river dam and bridge Company, and to improve the navigation of said river," reported the same back with an amendment, which was concurred in, and said bill as amended read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

Mr. Constable, from the committee on the Judiciary, to which was referred the bill entitled "An act limiting the jurisdiction of justices of the peace and constables to their respective districts," reported the same back without amendment, and said committee was discharged from a further consideration of the same.

On motion of Mr. Constable,

Said bill was laid on the table.

Mr. Constable, from the same committee, to which was referred the bill from the House of Representatives entitled "An act to limit the jurisdiction of justices of the peace," reported the same back with an amendment.

Mr. Dougherty moved to amend the proposed amendment by adding the following: "nor to causes of action accruing before the passage of this act."

Mr. Constable moved to lay the amendment to the amendment on the table; which was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Cavarly, Constable, Crain, Dunlap, Forman, Harris, McMurtry, Morrison, Nunnally, Parker, Ruggles, J. Smith, Thompson, Vandeventer and Warren—16.

Those voting in the negative, are,

Messrs. Boal, Buford, Davis, Dougherty, Edwards, Fithian, Harrison, Henry, Johnson, Killpatrick, Leviston, Markley, Matteson, McMillan, Minard, G. Smith, Webb and Worthington—18.

The question being then taken on the adoption of the amendment to the amendment, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Davis, Dougherty, Edwards, Fithian, Forman,

Harrison, Henry, Johnson, Killpatrick, Markley, McMillan, Minard, G. Smith, Thompson, Vandeventer, Webb and Worthington—19.

Those voting in the negative, are,

Messrs. Allen, Cavarly, Constable, Crain, Dunlap, Harris, Leviston, McMurtry, Morrison, Nunnally, Parker, Ruggles, J. Smith and Warren—14.

Mr. G. Smith moved further to amend the proposed amendment by adding after the word "reside" in the 11th line of the 1st section, the words "or in the district where the cause of action originated."

Mr. Warren moved the previous question:

And on the question "Shall the main question be now put?" It was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Cavarly, Constable, Crain, Dougherty, Dunlap, Forman, Harris, Leviston, Markley, McMillan, McMurtry, Morrison, Nunnally, Parker, Ruggles, J. Smith and Warren—18.

Those voting in the negative, are,

Messrs. Boal, Buford, Davis, Edwards, Fithian, Harrison, Henry, Johnson, Killpatrick, Matteson, Minard, G. Smith, Thompson, Vandeventer, Webb and Worthington—16.

Mr. Davis moved a call of the Senate, which having progressed some time, was

On motion of Mr. McMurtry,

Dispensed with.

And the question being taken on the adoption of the proposed amendment to the amendment, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Davis, Edwards, Fithian, Forman, Harrison, Henry, Johnson, Killpatrick, Leviston, Matteson, Minard, Ryan, G. Smith, Vandeventer, Webb and Worthington—18.

Those voting in the negative, are,

Messrs. Allen, Cavarly, Constable, Crain, Dougherty, Dunlap, Harris, Markley, McMillan, McMurtry, Morrison, Nunnally, Parker, Ruggles, J. Smith, Thompson and Warren—17.

And the amendment as amended was then concurred in, and said bill as amended,

Ordered to a third reading.

Mr. Davis, from the committee on the Judiciary, to which had been instructed by resolution to inquire, &c., reported a bill for "An act making certain judgments a lien on personal property from the service of capias;" which bill was read, and

Ordered to a second reading.

Mr. McMurtry, from the committee on Counties, to which was referred a bill from the House of Representatives for "An act for the removal of the seat of justice of Randolph county," reported the same back with amendments, which were concurred in, and the bill as amended,

Ordered to be read a third time.

Mr. Cavarly, from the joint judiciary committee of the two Houses, reported chapters 22, 23, 24, 25, 26 and 27 of "Revised Statutes."

Chapter 22 was read and ordered to a second reading.

On motion of Mr. McMurtry,

The rule was dispensed with, said chapter read a second time by its title, and

Ordered to be engrossed for a third reading.

Chapter 23 was read, and ordered to a second reading.

On motion of Mr. Nunnally,

The rule was dispensed with, and said chapter read a second time by its title.

On motion of Mr. Dougherty,

Said chapter was amended by striking out of it the words "by the constitution of this State," and

On motion of Mr. Cavarly,

Laid on the table.

Chapters 24, 25, 26 and 27 were severally read, and

Ordered to a second reading.

And the rule being dispensed with,

On motion of Mr. Nunnally,

The same were read a second time by their titles, and

Ordered to be engrossed for a third reading.

On motion of Mr. Killpatrick,

The order of business was suspended, and the bill some days since laid on the table entitled "An act to establish and maintain common schools," was taken up, and on his motion, referred to the committee of the whole Senate, and made the special order of the day for to-morrow at two o'clock, P. M.

Mr. Dougherty presented the remonstrance of sundry citizens of Alexander county, against a division of said county; which, without reading, was on his motion, referred to the committee on Counties.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Matteson, from the committee on Finance, to which was referred the bill entitled "An act appointing a collector for the unpaid taxes for 1842, in Lawrence county," reported the same back without amendment; said bill was then

Ordered to be engrossed for a third reading.

Mr. Markley from the committee on Public Roads, to which was referred the petition of sundry citizens of Greene county, reported a bill entitled "An act to establish a State road from Columbiana on the Illinois river, to John Andrew's Cabinet Shop, on the State road leading from Carrollton to Newport;" which was read, and

Ordered to a second reading.

On motion of Mr. Cavarly,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Dunlap, from the committee on Public Roads, to which was referred the bill from the House of Representatives entitled "An act to locate

a State road therein named," reported the same back without amendment, and said bill was

Ordered to a third reading.

On motion of Mr. Dougherty,

The bills for "An act to fix the salaries, fees and compensation of all the officers of State, &c.,"

"An act to reduce the fees, &c.," with an amendment thereto proposed by the committee on Retrenchment, were referred to a committee of the whole Senate.

On motion of Mr. Cavarly,

The Senate resolved itself into a committee of the Whole, Mr. Dougherty in the chair, to take into consideration the two bills and amendment just referred to said committee.

After some time spent therein, the committee rose, reported progress, and asked and obtained leave to sit again.

On motion,

The Senate adjourned.

WEDNESDAY, FEBRUARY 5, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Edson.

Mr. Constable moved a call of the Senate; which having progressed some time, was

On motion of Mr. Parker,

Dispensed with.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives, to inform the Senate that the House of Representatives have concurred with them in the passage of a bill for "An act for the relief of Thomas S. Brockman, late collector of Brown county."

The House have also concurred with the Senate in the passage of a bill for "An act to enable former and late collectors of the revenue in the several counties of this State to collect any taxes remaining due and unpaid," as amended by the House.

In which amendment I am directed to ask the concurrence of the Senate.

The House have adopted the accompanying report and resolution relative to the defalcation of Milton H. Wash, late a clerk in the office of the Auditor of Public Accounts.

The House have also adopted the accompanying resolutions relative to the Military Academy at West Point in the State of New York.

In the adoption of which I am directed to ask the concurrence of the Senate.

The House have passed chapter 25 of the Revised Statutes.

In the passage of which they ask the concurrence of the Senate.

Mr. Judd presented the memorial of the common council of the city of Chicago, praying for a re-survey of the original plat of said city; which, without reading, was on his motion, referred to the committee on the Judiciary.

Mr. Vandeventer, from the committee on Incorporations, to which was referred the bill entitled "An act to incorporate the Byron Hydraulic company," reported the same back without amendment; said bill was

Ordered to be engrossed for a third reading.

Mr. Constable presented the petition of Jacob H. Love and others, in relation to the present school laws; which was read, and on his motion, referred to the committee on School Lands and Education.

Mr. Morrison, from the committee on Finance, to which was referred the petition of John H. Deck, praying compensation for the arrest of John Donner, reported the same back and the committee were discharged from the further consideration of the petition.

On motion of Mr. Matteson,

The petition was laid on the table.

A message from the Governor, by Thompson Campbell, Esq., Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication.

Mr. Matteson, from the committee on Finance, to which was referred a bill for "An act to save a portion of the revenue from being lost," reported the same back with an amendment; which was concurred in, and the bill as amended,

Ordered to be engrossed for a third reading.

Mr. McMillan, from the select committee, to which was referred the petition of Wm. S. Head and others, citizens of McDonough county, reported a bill entitled "An act to legalize the transcribed records of Madison county, for lands situate in McDonough county;" which was read, and

Ordered to a second reading.

On motion of Mr. McMillan,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. McMurtry, from the select committee, to which was referred the petition of sundry citizens of Knox county, reported a bill entitled "An act to locate a State road from Toulon in Stark county, to Oquaka in Henderson county;" which was read, and

Ordered to a second reading.

On motion of Mr. McMurtry,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. McMillan, from the select committee, to which was referred several petitions in relation to a road therein named, reported a bill entitled "An act to incorporate the Henderson county Turnpike road company;" which was read, and

Ordered to a second reading.

On motion of Mr. McMillan,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Cavarly, from the joint judiciary committee of the two Houses, reported chapters 30, 33, 34 and 35 of the Revised Statutes.

Chapter 35 was read, and ordered to a second reading.

On motion of Mr. Nunnally,

The rule was dispensed with, said chapter read a second time by its title, and

Ordered to be engrossed for a third reading.

Chapters 30, 33 and 34, were severally read, and ordered to a second reading.

On motion of Mr. McMurtry,

The rule was dispensed with, said chapters read a second time by their titles, and severally

Ordered to be engrossed for a third reading.

Mr. Speaker laid before the Senate the communication just received from the Governor and announced the same was upon executive business.

On motion of Mr. McMurtry,

The same was acted upon with open doors, and read as follows:

EXECUTIVE DEPARTMENT,
Springfield, February, 5, 1845.

To the Senate:

I nominate Henry A. Starr to be Notary Public in and for the county of Iroquois.

THOMAS FORD.

On motion of Mr. Matteson,

The said nomination was advised and consented to by the Senate.

Mr. Thompson presented the report of the proceedings of a public meeting held in La Salle prairie in Peoria county; which was read, and on his motion, referred to the committee on Finance.

Mr. Fithian offered for adoption the following resolution, which lies one day on the table:

Resolved, That a select committee of five be appointed whose duty it shall be to report a bill on Monday next, reducing not more than twenty-five per cent. the salaries, fees and compensation of the several officers and persons hereinafter mentioned:

The Governor (hereafter to be elected.)

Salary and fees of the Secretary of State.

Auditor of Public Accounts, State Treasurer and Attorney General.

The per diem pay of the Speakers of the Senate and House of Representatives and members thereof, as also their mileage; the Secretary of the Senate; and Assistant Secretary of the Senate; the Clerk and Assistant Clerk of the House; the Engrossing and Enrolling Clerks and Assistant Enrolling and Engrossing Clerks of the Senate and House; the Sergeant-at-arms of the Senate; the Door-keeper and Assistant Door-keeper of the House; the copyists of Journals; the Secretary of State for making index to the Journals and laws; copying laws, and making marginal notes and index to laws; the Secretary of the Council of Revision; Probate Justices of the Peace; Clerk of the Supreme Court; Clerks of Circuit Courts; Clerks of County Commissioner's Courts; Sheriffs; Masters in Chancery; Records, Coroners and Surveyors.

Mr. Fithian moved that the rule be dispensed with in order to consider said resolution now; which was not agreed to.

Mr. Judd, on leave, introduced a bill entitled "An act for a re-survey of the original town of Chicago;" which was read, and
Ordered to a second reading.

On motion of Mr. Judd,

The rule was dispensed with, said bill read a second time by its title, and

Referred to the committee on the Judiciary.

Mr. Forman, on leave, introduced a bill entitled "An act concerning the public Treasury;" which was read, and
Ordered to a second reading.

On motion of Mr. Forman,

The rule was dispensed with, said bill read a second time by its title, and

Referred to the committee on the Judiciary.

Mr. Judd, on leave, introduced a bill entitled "An act to incorporate the Chicago and Juliet Turnpike company;" which was read, and
Ordered to a second reading.

On motion of Mr. Judd,

The rule was dispensed with, said bill read a second time by its title, and

Referred to the committee on Incorporations.

On motion of Mr. Constable,

The order of business was suspended, and the bill contained in the message from the House of Representatives, as amended by them entitled "An act to enable former and late collectors of the revenue in the several counties of this State, to collect any taxes remaining due and unpaid," was taken up, and the amendment of the House of Representatives to said bill concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion,

The Senate adjourned until two o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

According to previous order, the Senate resolved itself into a committee of the whole, for the purpose of considering the bill entitled "An act to establish and maintain common schools," Mr. McMurtry in the chair.

After some time, the committee rose, reported progress and asked and obtained leave to sit again.

On motion,

The Senate adjourned.

. THURSDAY, FEBRUARY 6, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Richmond.

Mr. Harrison presented the petition of William Bartlett and 90 others, praying for a license to keep a ferry; which, was on his motion, without reading, referred to the committee on Internal Navigation.

Mr. Cavarly, from the committee on the Judiciary, to which was referred a bill for "An act concerning the Public Treasury," reported the same back without amendment.

Ordered that the bill be engrossed for a third reading.

Mr. Cavarly, from the joint judiciary committee of the two Houses, reported chapters 43, 56 and 59 of "Revised Statutes;" which were severally read, and

Ordered to a second reading.

On motion of Mr. Nunnally,

The rule was dispensed with, said chapters severally read a second time by their titles, and

Ordered to be engrossed for a third reading.

The orders of the day were taken up.

Senate bills on their third reading.

A message from the House of Representatives, by Mr. Cloud, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed bills of the following titles, viz:

"An act to legalize certain official bonds;"

"An act to relocate a part of the Great Western mail route;"

"An act concerning the Sangamon river."

The House have also, passed chapters 36, 38, 39 and 52 of "Revised Statutes."

In the passage of which they ask the concurrence of the Senate.

In compliance with the request of the Senate, and by order of the House, I herewith return to the Senate a bill for "An act to authorize Hannah G. Sharp to keep a ferry across the Mississippi river at Warsaw."

The House have also passed a bill for "An act providing for partial appropriations."

In the passage of which they ask the concurrence of the Senate.

On motion of Mr. Warren,

The order of business was suspended, and the bill contained in the message from the House of Representatives entitled "An act providing for partial appropriations," was taken up, read, and

Ordered to a second reading.

On motion of Mr. Warren,

The rule was dispensed with, said bill read a second time by its title.

Mr. Edwards moved to amend said bill by striking out the words "one hundred" and inserting "eighty" in lieu thereof.

On motion of Mr. Harris,

The motion to amend was laid on the table.

Mr. Powers moved to amend the bill by striking out "one hundred" and inserting "fifty;" which was not agreed to.

Mr. Catlin moved that the bill be referred to the committee on Finance with instructions:

"That the bill be so amended as to make two hundred dollars the full per diem pay of members, and two dollars for every twenty miles travel, and all officers of the Legislature in the same proportion agreeably to their services."

On motion of Mr. Judd,

The question was put: "Shall the main question be now put?" and decided in the affirmative.

The question being then put: "Shall the bill be read a third time?" It was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Catlin, Crain, Dunlap, Fithian, Harris, Harrison, Henry, Johnson, Judd, Killpatrick, Leviston, McMillan, McMurry, Morrison, Nunnally, Parker, Thompson, Warren, Webb, Wilbanks and Worthington—23.

Those voting in the negative, are,

Messrs. Allen, Cavarly, Constable, Edwards, Markley, Powers, Ruggles, J. Smith, Vandeventer and Wynne—10.

On motion of Mr. Worthington,

The rule was further dispensed with, said bill read a third time and passed.

Mr. Catlin moved to strike out the word "partial" from the title; which was not agreed to.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the concurrence of the Senate.

On leave, Mr. Cavarly from the joint judiciary committee of the two Houses, reported chapter 55 of the Revised Statutes; which was read, and

Ordered to a second reading.

On motion of Mr. Markley,

The rule was dispensed with, said chapter read a second time by its title, and

On motion of Mr. Cavarly,

Laid on the table.

The bills entitled "An act concerning the town of Aurora, in Kane county;"

"An act to legalize the acts of William E. Franklin, as Notary Public in Rock Island county;"

"An act to change the name of the town of Fairfield, in Pike county, to that of Pleasant Hill;"

"An act for the relief of Henry Castor and others;"

"An act to incorporate the Byron Hydraulic Company;"

"An act to save a portion of the revenue from being lost;"

"An act to legalize the transcribed records of Madison county for lands situate in the county of McDonough," and

"An act appointing a collector of the unpaid taxes for 1842, in Lawrence county," were severally read a third time and passed.

Ordered, That the titles be respectively as aforesaid, and that the Sec-

retary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The bills entitled "An act to locate a State road from Toulon in Stark county to Oquaka in Henderson county;"

"An act to establish a State road from Columbiana on the Illinois river, to John Andrew's cabinet shop on the State road leading from Carrollton to Newport;" and

"An act to incorporate the Henderson county turnpike road company;"

Also, chapters 20, 21, 22, 24, 25, 26 and 27 of "Revised Statutes," were severally read a third time and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of the same.

The bill entitled "An act making certain judgments a lien on personal property from the service of *capias*," was read a second time.

Mr. Parker moved to refer said bill to the committee on the Judiciary; which was not agreed to.

On motion of Mr. Constable,

Said bill was referred to a select committee.

Ordered, That Messrs. Constable, Judd and Davis be that committee.

The bill entitled "An act to authorize Peck and Carpenter to build a mill-dam across Fox river," was read a second time and referred to the committee on Internal Navigation.

Bills from the House of Representatives on their third reading.

The bill entitled "An act for the removal of the seat of justice of Randolph county," was read a third time as amended and passed.

On motion of Mr. Morrison,

The title was so amended as to make it read "An act to locate permanently the seat of justice of Randolph county."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendments to said bill.

The bill entitled "An act to limit the jurisdiction of justices of the peace," as amended, was,

On motion of Mr. Warren,

Referred to a select committee.

Ordered, That Messrs. Warren, Constable and Wynne be that committee.

The bill entitled "An act to locate a State road therein named," was read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

House bills on their second reading.

The bill entitled "An act for the relief of certain persons therein named," was read a second time.

Mr. Markley moved to lay the same on the table until the 4th day of July next.

Mr. Killpatrick moved to refer said bill to a select committee.

On motion of Mr. McMurtry,

Said bill was referred to the committee on Finance.

A message from the Council of Revision, by Mr. Hawley, their Secretary:

Mr. Speaker: I am directed to say that the Council of Revision has approved a bill of the following title, to wit:

"An act for the relief of the securities of Richard J. Hill, deceased."

The bill entitled "An act to limit the duties of Public Administrators," was read a second time, and

On motion of Mr. Constable,

Referred to the committee on the Judiciary.

The bill entitled "An act for the collection of taxes in Perry county, for the year 1843," was read the second time, and

Ordered to a third reading.

On motion of Mr. Crain,

The rule was dispensed with, said bill read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill entitled "An act to locate a State road from Batavia, in Kane county, to David Bennetts, in Du Page county," was read a second time, and

Ordered to a third reading.

The bill entitled "An act concerning the revenue," was read a second time.

Mr. Parker moved to amend said bill by striking out the word "town" whenever it occurs; which was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Cavarly, McMillan, Nunnally, Parker, Thompson, Vandevanter and Worthington—7.

Those voting in the negative, are,

Messrs. Boal, Buford, Constable, Crain, Dunlap, Edwards, Fithian, Forman, Harris, Harrison, Henry, Johnson, Judd, Killpatrick, Leviston, Markley, McMurtry, Morrison, Powers, Ruggles, J. Smith, G. Smith, Warren, Webb, Wilbanks and Wynne—26.

Mr. Cavarly moved to amend the bill by adding the following as an additional section.

"Sec.—The provisions of this bill shall not apply to the towns of Carrollton, Whitehall and Greenfield in Greene county, Paris in Edgar county, and Peoria in Peoria county."

Mr. Constable moved to lay the proposed amendment on the table; which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Constable, Crain, Dunlap, Edwards, Forman, Harris, Harrison, Henry, Johnson, Judd, Killpatrick, Leviston, Mark-

ley, McMurtry, Morrison, Powers, Ruggles, J. Smith, G. Smith, Warren, Webb, Wilbanks and Wynne—25.

Those voting in the negative, are,

Messrs. Cavarly, McMillan, Nunnally, Parker, Thompson and Vandeventer—6.

Mr. Parker moved to amend the bill by adding the following:

"That no town included in this act shall be taxed unless by a special order of the county commissioners' court."

Mr. McMurtry moved the previous question.

And on the question: "Shall the main question be now put?" It was decided in the affirmative.

And the question then being taken on the adoption of the proposed amendment, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Nunnally, Parker, Thompson and Vandeventer—4.

Those voting in the negative, are,

Messrs. Boal, Buford, Cavarly, Constable, Crain, Dunlap, Edwards, Fithian, Forman, Harris, Harrison, Henry, Johnson, Judd, Killpatrick, Leviston, Markley, McMurtry, Morrison, Powers, Ruggles, J. Smith, G. Smith, Warren, Webb, Wilbanks and Wynne—27.

Said bill was then,

Ordered to a third reading.

On motion of Mr. Edwards,

The rule was dispensed with, said bill read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill entitled "An act supplementary to an act entitled 'An act relative to criminal jurisprudence,'" was read a second time, and

On motion of Mr. Cavarly,

Referred to the committee on the Judiciary.

The bill entitled "An act to legalize the sale of school lands in Adams county," was read a second time, and

On motion of Mr. J. Smith,

Referred to the committee on the Judiciary.

The bills entitled "An act to repeal an act entitled "An act for the benefit of Robert Richey," approved February 6th, 1835; and

"An act in relation to the duties of master in chancery;" were severally read a second time, and

Ordered to a third reading.

House bills on their first reading.

The bills entitled "An act to amend the charter of the city of Quincy;" and

"An act to relocate a part of the Great Western mail route," were severally read, and

Ordered to a second reading.

The bill entitled "An act in relation to the records of Sangamon county," was read, and

Ordered to a second reading.

On motion of Mr. Edwards,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

The bill entitled "An act to legalize the assessment of property in Menard county, for the year 1844," was read, and

Ordered to a second reading.

On motion of Mr. Wynne,

The rule was dispensed with, said bill read a second and third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill entitled "An act concerning the Sangamon river," was read, and

Ordered to a second reading.

On motion of Mr. Ruggles,

The rule was dispensed with, said bill read a second time by its title, and

On motion of Mr. Killpatrick,

Said bill was referred to the committee on Internal Navigation.

The bill entitled "An act to legalize the assessment of taxable property in Perry county," was read, and

Ordered to a second reading.

On motion of Mr. Crain,

The rule was dispensed with, said bill read a second and third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill entitled "An act to legalize certain official bonds," was read, and

Ordered to a second reading.

On motion of Mr. Harris,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Judd,

The rule was further dispensed with, said bill read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

On motion of Mr. McMurtry,

The order of business was suspended, and the preamble and resolutions offered by Mr. Warren, in relation to the new constitution and the existing Government of Rhode Island, &c., were taken up for consideration.

Mr. Killpatrick moved that the preamble and resolutions be amended by adding the following:

"*Whereas*: By a mistaken and unwise policy in the Legislation and Government of the State of Illinois, the State has become involved in a debt of over thirteen millions of dollars, rapidly increasing in the way of interest, which the people of this State are at this time unable to pay; and whereas, our present unfortunate condition as a State, is calculated to excite the sympathy and regret of our friends as well as the disapprobation, if not contempt of our enemies: Therefore,

Resolved, That it shall be the object of the General Assembly of the State of Illinois, so to legislate as to restore and preserve the faith, credit, character and standing of our own State and people, before we undertake to correct the evils, or errors, either real or imaginary in the Gov-

ernment, practise or legislation of the people of any other State in the Union.

Mr. Warren moved the previous question.

And on the question: "Shall the main question be now put?" It was decided in the affirmative.

Mr. Markley moved that the vote taken on ordering the main question be re-considered; which motion the Speaker decided to be not in order.

Mr. Markley appealed from that decision.

The question then being put: "Shall the decision of the Chair stand as the judgment of the Senate?" It was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Catlin, Constable, Crain, Dunlap, Fithian, Harris, Henry, Johnson, Killpatrick, Leviston, Morrison, Nunnally, Parker, G. Smith, Thompson, Wilbanks and Worthington—19.

Those voting in the negative, are,

Messrs. Cavarly, Edwards, Forman, Harrison, Judd, Markley, Matteson, McMillan, McMurtry, Ruggles, J. Smith, Vandeventer, Warren and Wynne—14.

The question then being taken on the adoption of the proposed amendment, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Constable, Edwards, Fithian, Harrison, Henry, Johnson, Killpatrick, Ruggles, G. Smith and Worthington—11.

Those voting in the negative, are,

Messrs. Buford, Catlin, Cavarly, Crain, Dunlap, Forman, Harris, Judd, Leviston, Markley, Matteson, McMillan, McMurtry, Morrison, Nunnally, Parker, J. Smith, Thompson, Vandeventer, Warren, Wilbanks and Wynne—22.

The question then being taken on the adoption of the preamble and resolutions, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Buford, Catlin, Cavarly, Crain, Dunlap, Forman, Harris, Judd, Leviston, Markley, Matteson, McMillan, McMurtry, Morrison, Nunnally, Parker, J. Smith, Thompson, Vandeventer, Warren, Wilbanks and Wynne—22.

Those voting in the negative, are,

Messrs. Boal, Constable, Edwards, Fithian, Harrison, Henry, Johnson, Killpatrick, Ruggles, G. Smith and Worthington—11.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Cavarly moved to reconsider the vote just taken on the adoption of said preamble and resolutions.

On motion,

The Senate adjourned.

FRIDAY, FEBRUARY 7, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Bergen.

Mr. Johnson presented the petition of John Greenwood and 20 others, praying the change of the name of the First Presbyterian society of Greenville and vicinity; which, without reading, was on his motion, referred to the committee on Incorporations.

Mr. Cavarly, from the committee on the Judiciary, to which was referred a bill from the House of Representatives entitled "An act supplementary to an act. entitled "An act relative to criminal jurisprudence," reported the same back without amendment, and said committee were discharged from a further consideration of the same.

On motion of Mr. Cavarly,

Said bill was laid on the table until the 4th day of July next.

Ordered, That the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have adopted the following resolution:

Resolved by the House of Representatives, the Senate concurring herein, That no new business shall be received into either branch of this General Assembly, after Saturday, the 15th of this month; and that the two Houses will adjourn on the first Monday of March next, at 10 o'clock, A. M. or sooner, if the business shall be disposed of.

In the adoption of which they ask the concurrence of the Senate.

Mr. Cavarly, from the committee on the Judiciary, to which was referred the bill from the House of Representatives entitled "An act to limit the duties of public administrators," reported the same back without amendment, and said committee were discharged from a further consideration of the same.

On motion of Mr. McMurtry,

The further consideration of said bill was indefinitely postponed.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Markley, from the committee on Internal Navigation, to which was referred a bill entitled "An act to authorise Peck and Carpenter to build a mill dam across Fox river," reported the same back without amendment; said bill was

Ordered to be engrossed for a third reading.

Mr. Cavarly, from the joint judiciary committee of the two Houses, reported chapters 74, 75, 83, 85, 91, 93, 94 and 95 of the Revised Statutes. Chapters 74, 83 and 93, were severally read, and ordered to a second reading.

On motion of Mr. Parker,

The rule was dispensed with, said chapters read a second time by their titles, and

Ordered to be engrossed for a third reading.

Chapters 75 and 85, were severally read, and

Ordered to a second reading.

On motion of Mr. McMurtry,

The rule was dispensed with, said chapters read a second time by their titles, and

Ordered to be engrossed for a third reading.

Chapters 91, 94, and 95 were severally read, and ordered to a second reading.

On motion of Mr. Nunnally,

The rule was dispensed with, said chapters read a second time by their titles, and

Ordered to be engrossed for a third reading.

Mr. Cavarly withdrew his motion, made on yesterday, to re-consider the vote taken on the adoption of the preamble and resolutions in relation to the imprisonment of Thomas Wilson Dorr, &c.

Mr. Wynne, from the committee on enrolled bills, made the following report:

The committee on enrolled bills, report as correctly enrolled a bill for "An act to enable former and late collectors of the revenue in the several counties of this State, to collect any taxes remaining due and unpaid.

Also that said bill has this day been laid before the Council of Revision.

A message from the House of Representatives, by Mr. Boyakin, a member:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed a bill for "An act making partial appropriations."

In the passage of which they ask the concurrence of the Senate.

Mr. Parker presented the petition of Joshua Chandler and 47 others, praying for a re-valuation of school lands in a township therein named; which, without reading, was on motion, referred to the committee on School Lands and Education.

Mr. Cavarly, from the committee on the Judiciary, to which was referred a bill from the House of Representatives, for "An act to legalize the sale of school lands in Adams county," reported the same back with an amendment; which was concurred in, and the bill as amended,

Ordered to a third reading.

On motion of Mr. Davis,

The vote taken some days since, by which was passed the bill entitled "An act to authorize Hannah G. Sharp to keep and maintain a ferry across the Mississippi river at Warsaw," returned from the House by request of the Senate was reconsidered, and said bill

On motion of Mr. Davis,

Laid on the table.

Mr. Speaker laid before the Senate the report of the president and directors of the Illinois Asylum, for the education of the deaf and dumb; which was read, and

On motion of Mr. Henry,

Referred to the committee on School Lands and Education.

Mr. Dougherty, from the committee on Internal Improvements, to which was referred the communication from the Governor, in relation to certain State bonds and the bank of Illinois and accompanying documents, reported the same back and the committee were discharged from the further consideration thereof; and the same,

On motion of Mr. Dougherty,

Referred to the joint select committee of the two Houses, appointed to investigate concerning said bonds and bank.

Mr. Cavarly, on leave, introduced a bill for "An act to vacate a part of the town of Greenfield, in Greene county;" which was read, and

Ordered to a second reading.

And the rule having been, on motion, dispensed with, the bill was read a second time by its title, and

Referred to the committee on the Judiciary.

Mr. Judd, on leave, introduced a bill for "An act for the final settlement of accounts with the contractors upon the Illinois and Michigan canal;" which was read, and

Ordered to a second reading.

And the rule having been, on motion, dispensed with, the bill was read a second time by its title, and

Referred to the committee on Canal and Canal Lands.

On motion of Mr. Edwards,

Ordered, That the Secretary of the Senate respectfully request the House of Representatives to return to the Senate a bill for "An act to limit the duties of public administrators," this day indefinitely postponed by the Senate.

The orders of the day were taken up.

The bill entitled "An act concerning the public Treasury."

Also, chapters 30, 31, 33, 34, 35, 43, 46 and 56 of the Revised Statutes, were severally read a third time and passed.

Ordered, That the titles be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of the same.

Bills of the House of Representatives on their third reading.

The bills entitled "An act in relation to the records of Sangamon county;"

"An act in relation to the duties of Master in Chancery;"

"An act to repeal an act, entitled 'An act for the benefit of Robert Richey,'" approved February 6th, 1835; and

"An act to locate a State road from Batavia in Kane county, to David Bennett's, in DuPage county," were severally read a third time and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof.

Bills of the House of Representatives on their second reading.

The bill entitled "An act to re-locate a part of the Great Western mail route," was read a second time, and

Ordered to a third reading.

On motion of Mr. Wilbanks,

The rule was dispensed with, said bill read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill entitled "An act to amend the charter of the city of Quincy," was read a second time, and

Ordered to a third reading.

Bills of the House of Representatives on their first reading.

Chapter 25 of the Revised Statutes, was read, and ordered to a second reading.

On motion of Mr. McMurtry,

The rule was dispensed with, said chapter read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Cavarly,

The rule was further dispensed with, said chapter read a third time by its title and passed.

Ordered, That the Secretary inform the House of Representatives thereof.

Chapters 36, 38, 39 and 52 of the Revised Statutes, were severally read, and ordered to a second reading.

On motion of Mr. Parker,

The rule was dispensed with, said chapters severally read a second and third times by their titles and passed.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill entitled "An act making partial appropriations," was read, and *Ordered* to a second reading.

On motion of Mr. Markley,

The rule was dispensed with, said bill read a second time by its title.

Mr. Dougherty moved to amend said bill by inserting after the word "representatives" the following:

"An Assistant Enrolling and Engrossing Clerk of the House of Representatives;" which was agreed to, and said bill as amended,

Ordered to a third reading.

On motion of Mr. Dougherty,

The rule was further dispensed with, said bill as amended, read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendment to said bill.

Resolutions contained in the message from the House of Representatives.

The resolutions in relation to the West Point Academy, were read, and

On motion of Mr. Cavarly,

Laid on the table.

The resolutions relative to the annexation of Texas, were severally read.

And the question being taken on concurring with the House of Representatives in their adoption, it was decided in the affirmative, by yeas, and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Catlin, Cavarly, Crain, Dougherty, Dunlap, Forman, Harris, Judd, Leviston, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Nunnally, Parker, J. Smith, Thompson, Vandeventer, Warren, Waters and Wynne—24.

Those voting in the negative, are,

Messrs. Boal, Edwards, Fithian, Harrison, Henry, Johnson, Killpatrick, Ruggles, G. Smith and Worthington—10.

Ordered, That the Secretary inform the House of Representatives thereof.

The preamble and resolutions relative to the amendment of the constitution of the United States, as proposed by the Legislature of the State of Massachusetts, were severally read, and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

The report and resolutions relative to the defalcation of Milton H. Wash, were severally read.

Mr. Dougherty moved to amend the same by inserting after the word "securities" the following:

"Except bonds illegally hypothecated to McAlister & Stebbins;" which was agreed to, and said resolutions as amended, adopted.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence in said amendment.

The resolution in relation to the adjournment of the two Houses, *sine die*, was read.

Mr. Vandeventer moved to amend the same by striking out the words "first Monday of March next," and inserting the "twenty-fourth day of February instant."

(On motion,

The Senate adjourned until two o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The question recurring on the question pending at the time of adjournment, which was upon striking out the words "first Monday in March next," and inserting the words "twenty-fourth day of February inst.,

Mr. McMurtry moved to lay the proposed amendment on the table; which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Buford, Cavarly, Dunlap, Harris, Harrison, Henry, Johnson, Killpatrick, Markley, McMillan, McMurtry, Minard, Morrison, Ruggles, J. Smith, G. Smith, Thompson, Warren and Wynne—19.

Those voting in the negative, are,

Messrs. Allen, Boal, Catlin, Crain, Edwards, Fithian, Forman, Leviston, Nunnally, Parker, Powers, Vandeventer, Waters and Worthington—14.

And the question then being taken on concurring with the House of Representatives in the adoption of said resolution, it was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed a bill for "An act for the transfer of certain school funds from the county of Sangamon to the county of Macon."

In the passage of which they ask the concurrence of the Senate.

The House have concurred with the Senate in the passage of a bill for

"An act to amend an act, entitled 'An act to improve the navigation of the rapids in Rock river, at Rockford, in the county of Winnebago, and to incorporate the Rockford Hydraulic and manufacturing company,'" approved February 28, 1843, as amended by the House.

In which amendment I am directed to ask the concurrence of the Senate.

The House have passed chapters 41, 42, 47, 49, 60, 65, 66, 67 of "Revised Statutes."

In the passage of which they ask the concurrence of the Senate.

Mr. Parker, from the committee on enrolled bills, reported as correctly enrolled "An act for the relief of Thomas S. Brockman, late collector of Brown county."

Also, that said bill has this day been laid before the Council of Revision.

On motion of Mr. Killpatrick,

The Senate resolved itself into a committee of the whole, again to take into consideration the bill for "An act to establish and maintain common schools," Mr. McMurtry in the chair.

After some time, the committee rose, and by their chairman reported progress, and obtained leave to sit again.

On motion of Mr. Cavarly,

The rule was dispensed with, and the following resolution read and adopted.

Resolved by the Senate, the House of Representatives concurring herein, That the Secretary of State be authorised and directed to deliver to Mr. Brayman, as he shall call for the same, all such laws passed at the present session as he shall have occasion to examine and use in perfecting the revision of the laws now in progress; Mr. Brayman being responsible for the safe return of the same as soon as practicable.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion,

The Senate adjourned until Monday next.

MONDAY, FEBRUARY 10, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Dresser.

Mr. Minard presented the remonstrance of sundry citizens of St. Charles, in Kane county, against the passage of an act to vacate a street therein named; which, was on his motion,

Referred to the committee on Incorporations.

A message from the House of Representatives, by Mr. Morrison, a member of the House:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed bills of the following titles, viz:

"An act to limit the duties of public administrators;"

"An act to regulate the salaries of justices of the Supreme Court hereafter to be elected;"

"An act for the relief of Alfred Shattuck;"

Also, chapters of Revised Statutes 44, 45, 46, 58, 70, 71, 78, 82, 87, 89, 90, 98, 99 and 100.

In the passage of the several bills and chapters they ask the concurrence of the Senate.

The House have also passed a bill for "An act for the relief of the securities of Lemon Plasters, late collector of Cass county."

In the passage of which they ask the concurrence of the Senate.

I herewith return to the Senate by order of the House of Representatives, and at the request of the Senate, a bill for "An act to limit the duties of public administrators."

Mr. Wynne presented the petition of sundry citizens of Mason county, praying for an act declaring a certain "cut-off" therein mentioned navigable, which was, on his motion,

Referred to the committee on Internal Navigation.

Mr. Powers presented the petition of 370 citizens of De Witt county, praying for a re-location of the county seat; which was on his motion,

Referred to the committee on Counties.

Mr. Ruggles presented the petition of Benjamin Van Etten, and sundry other citizens of Winnebago county, praying the relief of said Van Etten; which was

On motion of Mr. Ruggles,

Referred to the committee on School Lands and Education.

Mr. Vandeventer, from the committee on Incorporations, to which was referred the petition of John Greenwood, and others, reported a bill entitled "An act to change the name of a society in Bond county;" which was read, and

Ordered to a second reading.

On motion of Mr. Vandeventer,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed for a third reading.

On motion of Mr. Johnson,

The rule was further dispensed with, said bill read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

Mr. Cavarly, from the joint committee on the Judiciary of the two Houses, reported chapters 32, 55, 102 of Revised Statutes.

Chapter 32 was read, and ordered to a second reading.

And the rule having been

On motion of Mr. Nunnally,

Dispensed with,

Said chapter was read a second time by its title, and the first section thereof amended,

On motion of Mr. Dougherty,

By adding thereto the following:

"*Provided*, That should Congress have fixed a different day, or shall hereafter fix a different day, then the election for electors shall be held on such day fixed or to be fixed by act of Congress."

And said chapter as amended,

Ordered to be engrossed for a third reading.

Chapter 55 was read, and

Ordered to a second reading.

On motion of Mr. Warren,

The rule was dispensed with, said chapter read a second time by its title, and

On motion of Mr. Cavarly,

Re-committed to said joint committee on the Judiciary.

Chapter 102 was read, and

Ordered to a second reading, and

On motion of Mr. Warren,

The rule was dispensed with, said chapter read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Thompson, from the committee on School Lands and Education, to which was referred the petition of Benjamin Van Etten, and others, for the relief of said Van Etten, reported the same back, and said committee were discharged from its further consideration.

On motion of Mr. Ruggles,

Said petition was referred to the committee on Finance.

Mr. Constable, from the committee on the Judiciary, to which was referred a bill for "An act in relation to the acts of the clerk of the county commissioners' court of Cumberland county," reported the same back without amendment.

Ordered that the bill be engrossed for a third reading.

A message from the House of Representatives, by Mr. Cloud, their Clerk:

Mr. Speaker: I am directed to inform the Senate, that the House of Representatives have concurred with them in the adoption of their resolution, directing the Secretary of State to let Mr. Brayman have all such laws passed by the present session as he may wish, to aid him in the revision of the laws of this State.

On motion of Mr. Edwards,

The order of business was suspended, and the bill contained in the message from the House of Representatives entitled "An act to limit the duties of public administrators," was taken up for consideration.

On motion of Mr. McMurtry,

The vote taken on the indefinite postponement of said bill was reconsidered.

And thereupon, Mr. McMurtry withdrew his motion to postpone indefinitely the further consideration of said bill.

And the question then being taken on ordering said bill to a third reading, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Davis, Edwards, Fithian, Harrison, Johnson, Judd, Killpatrick, Markley, McMurtry, Powers, Ruggles, G. Smith, Thompson, Waters, Webb and Worthington—16.

Those voting in the negative, are,

Messrs. Catlin, Cavarly, Constable, Crain, Dougherty, Dunlap, Harris, Henry, Leviston, Matteson, McMillan, Minard, Morrison, Parker, J. Smith, Vandeventer, Warren, Wilbanks and Wynne—19.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Killpatrick offered for adoption the following resolution; which lies one day on the table.

Resolved, That the committee on the Judiciary be instructed to report a bill providing that when the office of a justice of the peace shall be vacant on account of the temporary absence of the acting justice, or from any other cause, that his docket shall be placed in the hands of the next nearest justice, and to authorize the justice receiving said docket to proceed in all cases in the unfinished business on said docket, as the first justice is, or was required by law.

Mr. Henry, on leave, introduced a bill entitled "An act to incorporate the Sangamon and Morgan Railroad Company;" which was read, and

Ordered to a second reading.

On motion of Mr. Henry,

The rule was dispensed with, said bill read a second time by its title, and

Referred to the committee on Internal Improvements.

Mr. G. Smith, on leave, introduced a bill entitled "An act to incorporate the Alton Cemetery;" which was read, and

Ordered to a second reading.

On motion of Mr. G. Smith,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Worthington, on leave, introduced a bill entitled "An act for the relief of the estate of Robert Davis;" which was read, and

Ordered to a second reading.

On motion of Mr. Worthington,

The rule was dispensed with, said bill read a second time by its title, and

On motion of Mr. Markley,

Said bill was referred to the committee on Finance.

Mr. G. Smith, on leave, introduced a bill entitled "An act to incorporate the Illinois Cotton Manufacturing Company;" which was read, and

Ordered to a second reading.

On motion of Mr. G. Smith,

The rule was dispensed with, said bill read a second time by its title, and

Referred to the committee on Incorporations.

Mr. Parker, on leave, introduced a bill for "An act to amend an act entitled 'An act to prevent unlawful driving away of cattle and other stock, by drovers and other persons,'" approved February 3d, 1841; which was read, and

Ordered to a second reading.

On motion of Mr. Parker,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Fithian, on leave, introduced a bill for "An act authorizing the sale of school lands in township numbered 18 north, of range eleven east, in Champaign county;" which was read, and

Ordered to a second reading.

On motion of Mr. Fithian,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed for a third reading.

On motion of Mr. Fithian,

The rule was further dispensed with, said bill read a third time and passed.

Ordered. That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

Mr. Matteson, on leave, introduced a bill for "An act to amend an act entitled 'An act to incorporate the Juliet Seminary, and to elevate the primary schools in township 35 north, range 10 east,' approved March 4th, 1843; which was read, and

Ordered to a second reading.

On motion of Mr. Matteson,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed for a third reading.

The orders of the day:

The bill for "An act to authorize Peck and Carpenter to build a mill-dam across Fox river," was read a third time and passed.

Chapters 74, 75, 83, 85, 91, 93, 94 and 95 of "Revised Statutes," were also read a third time and passed.

Ordered, That the title of said bill and chapters be as aforesaid, and that the Secretary ask the concurrence of the House of Representatives in their passage.

Bills from the House of Representatives:

The bill for "An act to legalize the sale of schools lands in Adams county," as amended by the Senate, was read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary ask the concurrence of the House of Representatives in the amendment of the Senate.

The bill for "An act to amend the charter of the city of Quincy," was read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the concurrence of the Senate.

The bill for "An act to amend an act entitled 'An act to improve the navigation of the rapids in Rock river, at Rockford, in the county of Winnebago, and to incorporate the Rockford Hydraulic and Manufacturing Company,' approved February 28th, 1843, as amended by the House of Representatives, coming up for consideration, the amendments of the House were concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

Bills from the House of Representatives on their first reading.

The bill entitled "An act for the transfer of certain school funds from the county of Sangamon to the county of Macon," was read, and

Ordered to a second reading.

On motion of Mr. Powers,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Edwards,

The rule was further dispensed with, said bill read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill entitled "An act for the relief of the securities of Lemon Plasters, late collector of Cass county," was read, and

Ordered to a second reading.

On motion of Mr. Killpatrick,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

The bill entitled "An act to regulate the salaries of justices of the supreme court hereafter to be elected," was read, and

Ordered to a second reading.

On motion of Mr. Nunnally,

The rule was dispensed with, and said bill read a second time.

Mr. McMurtry moved to amend said bill by striking out the words "one thousand," and inserting "eleven hundred and twenty-five" in lieu thereof.

Mr. Markley moved to refer said bill and proposed amendment to the committee on the judiciary; which was not agreed to.

Mr. Killpatrick moved to amend by inserting the words "fourteen hundred and seventy-five" in lieu of "one thousand;" which was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Davis, Fithian, Harrison, Judd, Killpatrick, Matteson and Minard—7.

Those voting in the negative, are,

Messrs. Buford, Catlin, Cavarly, Constable, Crain, Dougherty, Dunlap, Edwards, Forman, Harris, Henry, Johnson, Leviston, Markley, McMillan, McMurtry, Morrison, Nunnally, Parker, Powers, J. Smith, G. Smith, Thompson, Vandeventer, Warren, Waters, Webb, Wilbanks, Worthington and Wynne—30.

Mr. McMillan moved to amend by inserting the words "twelve hundred" in lieu of "one thousand."

Mr. Constable moved the previous question:

And on the question: "Shall the main question be now put?" It was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Catlin, Cavarly, Constable, Crain, Dougherty, Dunlap, Edwards, Forman, Harris, Leviston, Markley, McMillan, McMurtry, Morrison, Nunnally, Parker, Powers, J. Smith, G. Smith, Thompson, Vandeventer, Warren, Waters and Wilbanks—26.

Those voting in the negative, are,

Messrs. Davis, Fithian, Harrison, Henry, Johnson, Judd, Killpatrick, Matteson, Minard, Webb, Worthington and Wynne—12.

The question then being taken on the adoption of the amendment to insert "twelve hundred" in lieu of "one thousand," it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Davis, Judd, Matteson, McMillan, Minard and Ruggles—6.

Those voting in the negative, are,

Messrs. Boal, Buford, Catlin, Cavarly, Constable, Crain, Dougherty, Dunlap, Edwards, Fithian, Forman, Harris, Harrison, Henry, Johnson, Killpatrick, Leviston, Markley, McMurtry, Morrison, Nunnally, Parker, Powers, J. Smith, G. Smith, Thompson, Vandeventer, Warren, Waters, Webb, Wilbanks, Worthington and Wynne—33.

The question then being taken on striking out "one thousand" and inserting "eleven hundred and twenty-five," it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Davis, Matteson, McMillan, McMurtry, Minard, Vandeventer and Wilbanks—7.

Those voting in the negative, are,

Messrs. Boal, Buford, Catlin, Cavarly, Constable, Crain, Dougherty, Dunlap, Edwards, Fithian, Forman, Harris, Harrison, Henry, Johnson, Judd, Killpatrick, Leviston, Markley, Morrison, Nunnally, Parker, Powers, Ruggles, J. Smith, G. Smith, Thompson, Warren, Waters, Webb, Worthington and Wynne—32.

The question then being taken on ordering said bill to a third reading, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Catlin, Cavarly, Constable, Crain, Dougherty, Dunlap, Edwards, Forman, Harris, Henry, Johnson, Leviston, Markley, McMillan, McMurtry, Morrison, Nunnally, Parker, Powers, Ruggles, J. Smith, G. Smith, Thompson, Vandeventer, Warren, Waters, Webb, Worthington and Wynne—31.

Those voting in the negative, are,

Messrs. Davis, Fithian, Harrison, Judd, Killpatrick, Matteson, Minard and Wilbanks—8.

On motion of Mr. Dougherty,

The rule was dispensed with, said bill read a third time by its title.

And on the question: "Shall said bill pass?" It was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Catlin, Cavarly, Constable, Crain, Dougherty, Dunlap, Edwards, Forman, Harris, Henry, Johnson, Leviston, Markley, McMillan, McMurtry, Morrison, Nunnally, Parker, Powers, Ruggles, J. Smith, G. Smith, Thompson, Vandeventer, Warren, Waters, Webb, Worthington and Wynne—31.

Those voting in the negative, are,

Messrs. Fithian, Harrison, Judd, Killpatrick, Matteson, Minard and Wilbanks—7.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the concurrence of the Senate.

On motion,

The Senate adjourned until 2 o'clock, P. M.

T

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Killpatrick,

The Senate resolved itself into a committee of the whole again to consider the bill for "An act to establish and maintain common schools."

Mr. McMurtry in the Chair; after some time the committee rose, reported progress, and obtained leave to sit again.

On motion,

The Senate adjourned.

TUESDAY, FEBRUARY 11, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Hale.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed bills of the following titles:

"An act to legalize the assessment of property in the county of Pulaski, for the year 1843, and for other purposes;"

"An act incorporating the Rockford Cemetery Association;"

"An act to enable Joseph Adkins to establish a ferry across the Sangamon river;"

"An act concerning practice in the Supreme Court;"

"An act vacating a certain street in Petersburg, in Menard county;"

"An act to amend an act, entitled 'An act to incorporate the Rock Island University,' " approved January 18, 1840;

"An act to legalize the acts of certain officers in Pulaski county;"

"An act to vacate a certain town plat therein named;"

"An act to authorise Lucius Wells to keep a ferry across the Mississippi river;"

"An act to authorise the person therein named to construct a mill dam;"

"An act extending the time for completing the assessment of taxable property in Schuyler county;"

"An act to authorise recorders to appoint deputies;"

"An act for the relief of Samuel Cunningham and James Atkinson;"

"An act to authorise John Foster and others to construct a mill dam on the Mississippi river;"

"An act authorising an additional justice of the peace and constable in Lima precinct in Adams county;"

"An act to authorise Joseph Cox and others to construct a mill dam on the Mississippi river;"

"An act supplemental to incorporate the Spoon river navigation company," approved March 3, 1837;"

"An act to incorporate the Oswego manufacturing company;"

"An act to authorise the county commissioner's court of Peoria county to levy a special tax for the purpose of building a jail;"

"An act to extend the corporate powers of the town of Peru;"

"An act to improve the navigation of the Embarrass river, and for other purposes;"

"An act for the improvement of the navigation of Rock River;"

"An act to remove certain mill dams therein named;"

"An act to protect owners of wood yards against the illegal acts of steamboat masters and officers;"

"An act to amend 'An act to incorporate the Alton Marine and Fire insurance company,' " approved Feb. 7, 1835, and of the various supplements thereto;

"An act to build a free bridge across Shoal creek, in Clinton county;"

"An act to amend an act, entitled 'An act to incorporate the Rock Island University,' " approved January 18, 1840;

"An act to authorise the collection of taxes of Jackson county, for the year 1842;"

"An act authorising the board of Auditors to settle certain claims therein named;"

"An act to amend an act, entitled 'An act to incorporate the town of Rushville,' " approved March 2, 1839;

"An act to incorporate the Adelpia Theological Seminary;"

"An act for the relief of Lovel Kimbell;"

"An act for the protection of and summary mode of recovery for trespass committed upon the commons of Prairie du Rocher;"

"An act to authorise the canal commissioner to pay certain monies to Jeremiah Crotty;"

"An act authorising the securities of the late collector of Cass county to settle with the State;" and

"An act for the relief of the heirs of Thomas W. Tanner, deceased."

In the passage of which several bills I am directed to ask the concurrence of the Senate.

Mr. Boal presented the remonstrance of sundry citizens of the town of Washington, in Tazewell county, against the incorporation of said town; which, without reading, was on his motion, referred to the committee on Incorporations.

Mr. Warren, from the committee on Military Affairs, to which was referred several memorials and petitions of sundry citizens of Hancock and Adams counties, in relation to the charges made against them by the Governor, and requesting an investigation of the same, reported the same back, and said committee were discharged from a further consideration of the subject.

On motion of Mr. Warren,

The same were laid on the table.

Mr. Cavarly, from the joint Judiciary committee of the two Houses, reported chapter 80 of the Revised Statutes; which was read, and

Ordered to a second reading.

On motion of Mr. Nunnally,

The rule was dispensed with, said chapter read a second time by its title, and

Ordered to be engrossed for a third reading.

A message from the Council of Revision, by Mr. Hawley, their Secretary:

Mr. Speaker: I am directed to say that the Council of Revision have approved a bill of the following title, to wit:

"An act to enable former and late collectors of the revenue in the several counties of this State to collect any taxes remaining due and unpaid."

A message from the House of Representatives, by Mr. Cloud, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed chapters 31, 51, 96 and 101 of the Revised Statutes.

In the passage of said chapters I am directed to ask the concurrence of the Senate.

Mr. Cavarly, from the committee on the Judiciary, to which was referred the bill from the House of Representatives entitled "An act to amend 'An act relative to wills and testaments, executors and administrators and the settlement of estates,'" reported the same back without amendment; said bill was

Ordered to a third reading.

Mr. Morrison, from the committee on Finance, to which was referred a bill from the House of Representatives entitled "An act for the relief of certain persons therein named," reported the same back without amendment.

Mr. Killpatrick moved to amend said bill by adding the following as an additional section:

"SEC.—The provisions of this act shall apply to citizens residing on all navigable streams in the State."

Mr. Markley moved to lay said bill and the proposed amendment on the table until the 4th day of July next.

Mr. McMurtry moved a call of the Senate;

During the pendency of the call,

Mr. Cavarly, from the joint Judiciary committee of the two Houses, reported chapter 78; which was read, and

Ordered to a second reading.

On motion of Mr. Nunnally,

The rule was dispensed with, said chapter read a second time by its title, and

Ordered to be engrossed for a third reading.

On motion of Mr. Killpatrick,

The further proceedings under the call of the Senate were dispensed with,

And the question being taken on laying said bill and proposed amendment on the table until the 4th day of July next, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Buford, Cavarly, Harris, Harrison, Johnson, Judd, Leviston, Markley, Matteson, McMillan, McMurtry, Minard, Nunnally, Ryan and Vandeventer—15.

Those voting in the negative, are,

Messrs. Boal, Catlin, Constable, Crain, Davis, Dougherty, Dunlap, Edwards, Fithian, Forman, Henry, Killpatrick, Morrison, Parker, Powers, Ruggles, J. Smith, G. Smith, Thompson, Warren, Waters, Webb, Worthington and Wynne—24.

Mr. Markley moved to amend the proposed amendment by adding the following:

"And all other persons that have lost three-fourths of all their property or crops by the heavy rains that fell the last season or by fire."

Mr. Catlin moved to lay the proposed amendment and the amendment thereto on the table; which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Catlin, Constable, Crain, Davis, Dougherty, Edwards, Forman, Harrison, Henry, Morrison, Powers, J. Smith, G. Smith, Thompson, Vandeventer, Warren, Waters, Webb, Worthington and Wynne—21.

Those voting in the negative, are,

Messrs. Buford, Cavarly, Dunlap, Fithian, Harris, Johnson, Judd, Killpatrick, Leviston, Markley, Matteson, McMillan, McMurtry, Minard, Nunnally, Parker, Ruggles and Ryan—18.

Mr. Parker moved to amend the bill by adding as follows:

"The provisions of this bill shall be extended to all the citizens of this State who may have suffered to the same extent by circumstances which they could not control."

Mr. Killpatrick moved the previous question.

And on the question, "Shall the main question be now put?" It was decided in the affirmative.

The question then being taken on the adoption of the proposed amendment, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Buford, Cavarly, Dunlap, Fithian, Harris, Johnson, Judd, Leviston, Markley, Matteson, McMillan, McMurtry, Minard, Nunnally, Parker, Ruggles and Ryan—17.

Those voting in the negative, are,

Messrs. Boal, Catlin, Constable, Crain, Davis, Dougherty, Edwards, Forman, Harrison, Henry, Killpatrick, Morrison, Powers, J. Smith, G. Smith, Thompson, Vandeventer, Warren, Waters, Webb, Worthington and Wynne—22.

The question then being taken on ordering said bill to a third reading, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Catlin, Constable, Crain, Dougherty, Fithian, Forman, Henry, Killpatrick, Morrison, Powers, Ruggles, J. Smith, G. Smith, Thompson, Warren, Waters, Webb and Wynne—19.

Those voting in the negative, are,

Messrs. Buford, Cavarly, Davis, Dunlap, Edwards, Harris, Harrison, Johnson, Judd, Leviston, Markley, Matteson, McMillan, McMurtry, Minard, Nunnally, Parker, Ryan, Vandeventer and Worthington—20.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Edwards moved that the vote by which the Senate refused to order to a third reading the bill for "An act for the relief of certain persons therein named," be re-considered; and on the further motion of Mr. Edwards, the consideration of the motion to re-consider was postponed until to-morrow morning.

On motion of Mr. Killpatrick,

The Senate resolved itself into a committee of the whole, Mr. McMurry in the chair, again to consider the bill for "An act to establish and maintain common schools."

After some time, the committee rose, reported progress and obtained leave to sit again.

Mr. Wynn, from the committee on enrolled bills, reported as correctly enrolled "An act to amend an act, entitled 'An act to improve the navigation of the rapids of Rock river, at Rockford, in the county of Winnebago, and to incorporate the Rockford hydraulic and manufacturing company,'" approved February 28th 1843.

And that the same has this day been laid before the Council of Revision.

On motion,

The Senate adjourned.

WEDNESDAY, FEBRUARY 12, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Edson.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed bills of the following titles:

"An act to amend an act defining and regulating proceedings in action of ejectment," approved March 2, 1839;

"An act to regulate practice in the Supreme and circuit Courts;"

"An act for the relinquishment of the State of Illinois to the city of Quincy, of her right to the bed of the railroad as laid out through said city;"

"An act to extend the boundary lines of the county of Effingham;"

"An act relative to criminal jurisprudence;"

"An act to amend an act entitled 'An act to apportion the representation of the several counties of this State,' approved February 26th, 1841;

"An act to authorize the Secretary of State to subscribe for certain periodical works;"

"An act to incorporate the Crystal Lake Academy, in McHenry county;"

"An act to legalize the sale of property therein named;"

"An act to extend the jurisdiction of justices of the peace and constables in forcible entry and detainer, and forcible detainer;"

"An act concerning certain counties therein named;"

"An act to incorporate the town of Belleville, in St. Clair county;"

"An act to amend an act authorizing counties to give a bounty on Wolf scalps," approved 15th February, 1843;

"An act declaring certain additions to the town of Manchester, Scott county, vacated;"

"An act to create the county of Orange;"

"An act concerning the records of the counties of Winnebago and Boone;"

"An act to amend an act to authorize St. Clair county to establish a ferry across the Mississippi river;"

"An act to vacate the town plat of Kingston;"

"An act to amend 'An act authorizing Charles G. Eldridge to keep a ferry across the Mississippi river;"

"An act to incorporate Ewing Seminary, in the counties of White and Wayne;"

"An act to vacate the town plat of the town of Brooklyn;"

"An act to incorporate the Urbana Seminary Society;"

"An act extending the limits of Cass county;"

"An act legalizing certain records in Starke county;"

"An act making certain fords a part of public roads;"

"An act for the relief of Horatio T. Ellis;"

"An act for the permanent improvement of the navigation of the Bon Pas creek;" and

"An act for the relief of Jesse Murphy, late a collector of Christian county."

In the passage of which several bills, I am directed to ask the concurrence of the Senate.

Mr. Dougherty presented the petition of H. W. Billings, and others of Cairo, praying the establishment of a ferry across the Ohio river, at the depot in Cairo, in favor of Bryan Shawneesy and Patrick Smith for a limited time; which, without reading, was on his motion, referred to a select committee.

Ordered, That Messrs. Dougherty, Judd and Waters be that committee.

Mr. Nunnally presented two communications, one from N. R. Dickerson, clerk of the county commissioners' court of Edgar county, relative to marriages, suggesting some amendments; the other from Samuel Connelly, probate justice of the peace of Edgar county, suggesting some amendments to the probate law; which, without reading, was on his motion, referred to the committee on the Judiciary.

Mr. Ruggles presented the petition of sundry citizens of Jo Daviess and other counties, praying for an act of incorporation for constructing a direct road from Galena to Chicago; which, without reading, was on his motion, referred to the committee on Incorporations.

The question being taken on the motion made on yesterday to reconsider the vote on ordering to a third reading the bill from the House of Representatives entitled "An act for the relief of certain persons therein named," it was decided in the affirmative.

The question then being taken on ordering said bill to a third reading, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Catlin, Constable, Crain, Davis, Dougherty, Dunlap,

Edwards, Fithian, Forman, Henry, Johnson, Judd, Killpatrick, Matteson, Morrison, Powers, Ruggles, Ryan, J. Smith, G. Smith, Thompson, Warren, Waters, Webb and Wilbanks—26.

Those voting in the negative, are,

Messrs. Buford, Cavarly, Harris, Harrison, Leviston, Markley, McMillan, McMurtry, Minard, Nunnally, Parker, Vandeventer and Worthington—13.

On motion of Mr. Catlin,

The rule was dispensed with, and said bill read a third time.

Mr. Markley moved to amend said bill by adding the words following:

“*Provided*, that all other citizens in any part of this State that have suffered to the same extent by floods shall be included in this act.”

Mr. Davis moved to lay the proposed amendment on the table; which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Catlin, Constable, Crain, Davis, Dougherty, Edwards, Forman, Harrison, Henry, Judd, Killpatrick, McMurtry, Minard, Morrison, Powers, Ryan, J. Smith, G. Smith, Warren, Waters, Webb, Wilbanks and Worthington—24.

Those voting in the negative, are,

Messrs. Buford, Cavarly, Dunlap, Fithian, Harris, Johnson, Leviston, Markley, Matteson, McMillan, Nunnally, Parker and Vandeventer—13.

Mr. McMurtry moved to amend said bill by inserting in the 5th section before the word “personal” the words “real or.”

Mr. Dougherty moved the previous question:

And on the question: “Shall the main question be now put?” It was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Catlin, Constable, Crain, Davis, Dougherty, Edwards, Forman, Henry, Killpatrick, Morrison, Powers, J. Smith, G. Smith, Vandeventer, Warren, Waters, Webb, Wilbanks and Worthington—20.

Those voting in the negative, are,

Messrs. Buford, Cavarly, Dunlap, Fithian, Harris, Johnson, Judd, Leviston, Markley, Matteson, McMillan, McMurtry, Minard, Nunnally, Parker and Ryan—17.

The question being then taken upon the motion to amend the 5th section, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Buford, Cavarly, Dunlap, Harris, Johnson, Leviston, Markley, McMillan, McMurtry, Minard, Nunnally, Parker and Vandeventer—13.

Those voting in the negative, are,

Messrs. Boal, Catlin, Constable, Crain, Davis, Dougherty, Edwards, Fithian, Forman, Harrison, Henry, Judd, Killpatrick, Matteson, Morrison, Powers, Ryan, J. Smith, G. Smith, Warren, Waters, Webb, Wilbanks and Worthington—24.

The question then being taken: “Shall the bill pass?” It was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Catlin, Constable, Crain, Davis, Dougherty, Dunlap, Edwards, Fithian, Forman, Henry, Judd, Killpatrick, Matteson, Mor-

rison, Powers, Ryan, J. Smith, G. Smith, Warren, Waters, Webb and Wilbanks—23.

Those voting in the negative, are,

Messrs. Buford, Cavarly, Harris, Harrison, Johnson, Leviston, Markley, McMillan, McMurtry, Minard, Nunnally, Parker, Vandeventer and Worthington—14.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the concurrence of the Senate.

Mr. Crain, from the committee on Elections, to which was referred the petition of sundry citizens of Washington county, reported a bill for "An act in relation to the election of county officers," which was read, and

Ordered to a second reading.

Mr. Crain moved to dispense with the rule, and that said bill be read a second time now; which was not agreed to.

Mr. Dougherty, from the committee on the Judiciary, to which was referred a bill entitled "An act to ascertain the amount of the State debt preparatory to a provision to pay the same by taxation," reported the same back with several amendments, which were concurred in.

Mr. Judd moved further to amend said bill by striking out the "eighth section."

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

And the question recurring on the question pending at the time of adjournment, which was upon the motion to amend by "striking out the 8th section" of the bill entitled "An act to ascertain the amount of the State debt preparatory to a provision to pay the same by taxation."

Mr. Webb moved that the bill and proposed amendment be referred to the committee on the Judiciary.

And the question being taken thereon, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Fithian, Harrison, Henry, Judd, Killpatrick, Matteson, McMurtry, Minard, Ruggles, Ryan, G. Smith, Thompson, Vandeventer, Webb and Worthington—16.

Those voting in the negative, are,

Messrs. Buford, Catlin, Cavarly, Crain, Dougherty, Dunlap, Edwards, Forman, Harris, Johnson, Leviston, Markley, McMillan, Morrison, Nunnally, Parker, J. Smith, Warren, Waters and Wilbanks—20.

The question being taken on the motion to strike out the 8th section, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Edwards, Fithian, Harrison, Henry, Judd, Killpatrick, Markley, Matteson, McMillan, McMurtry, Minard, Ruggles, Ryan, G. Smith, Thompson, Vandeventer, Webb and Worthington—19.

Those voting in the negative, are,

Messrs. Buford, Catlin, Crain, Dougherty, Dunlap, Forman, Harris,

Johnson, Leviston, Morrison, Nunnally, Parker, J. Smith, Warren, Waters and Wilbanks—16.

A message from the House of Representatives, by Mr. Morrison, a member of the House:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in the passage of chapters 1, 4 and 5 of Revised Statutes.

Mr. Edwards moved to amend the bill under consideration, by inserting in lieu of the 8th section stricken out, the following:

"No portion of the principal or interest shall be paid on any bonds or scrip until registered under the provisions of this law, nothing in this act shall be construed so as to release the State from any liabilities which she may have heretofore incurred."

On motion,

The Senate adjourned.

THURSDAY, FEBRUARY 13, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Richmond.

Mr. Buford offered for adoption (on leave of the Senate) the following order, to wit:

Ordered, That his excellency the Governor of this State, Hon. John Davis and David Leavitt, Esq. be invited to occupy a seat within the bar of the Senate, during its daily session.

Mr. Nunnally moved that the order be laid on the table; and the question being taken thereon, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Catlin, Constable, Crain, Davis, Dougherty, Dunlap, Forman, Harris, Leviston, Markley, Morrison, Nunnally, Thompson, Warren and Wilbanks—15.

Those voting in the negative, are,

Messrs. Boal, Buford, Cavarly, Edwards, Fithian, Harrison, Henry, Johnson, Judd, Kilpatrick, Matteson, McMillan, McMurtry, Minard, Powers, Ruggles, Ryan, J. Smith, G. Smith, Vandeventer, Waters and Worthington—22.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed bills of the following titles:

"An act concerning school lands in Peoria county;"

"An act to incorporate Metropolis city;"

"An act for the relief of Amos Durbin;"

"An act to encourage the apprehension of horse thieves;"

"An act to exempt certain property from execution, or other process and for other purposes;"

"An act to provide for the election of certain officers therein named, and to fix the tenure of their offices;"

"An act to amend 'An act concerning the 16th section, township one

south, range five west, lying in the counties of Washington and Clinton,' ” in force February 23, 1843;

“An act to establish a ferry therein named;”

“An act to vacate the survey and plat of the subdivision of lots eight, nine and ten, in block one, in Randolph’s addition to the city of Quincy;”

“An act to locate a State road in the county of Cook;” and

“An act to incorporate the city of Nauvoo.”

In the passage of which several bills I am directed to ask the concurrence of the Senate.

The House have concurred with the Senate in the passage of a bill for “An act to provide for cancelling Auditor’s Warrants.”

The House have refused to order to a third reading a Senate bill for “An act requiring the county of Sangamon to pay over certain moneys.”

The House have concurred with the Senate in their amendment to the preamble and resolution relative to Richard Eels.

The House have also concurred with the Senate in the adoption of a resolution in relation to the deaf and dumb asylum at Jacksonville.

The House have adopted the accompanying resolutions, instructing our Senators, and requesting our Representatives in Congress to use their exertions in procuring a grant of land for the benefit of the Northern Cross railroad.

In the adoption of which they ask the concurrence of the Senate.

The House have passed chapters 2, 3, 7, 8, 10, 12, 13, 16, 17, 19, 24, 27 and 105 of Revised Statutes.

In the passage of which they ask the concurrence of the Senate.

Mr. Forman moved the previous question.

And on the question, “Shall the main question be now put?” It was decided by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Cavarly, Johnson, Judd, Killpatrick, Matteson, McMillan, McMurtry, Minard, Powers, Ruggles, Ryan, J. Smith, G. Smith, Vandeventer, Waters, Webb and Worthington—19.

Those voting in the negative, are,

Messrs. Catlin, Constable, Crain, Davis, Dougherty, Dunlap, Fithian, Forman, Harris, Harrison, Henry, Leviston, Markley, Morrison, Nunnally, Parker, Thompson, Warren and Wilbanks—19.

There being a tie, Mr. Speaker voted in the affirmative; so the main question was ordered.

The question then being taken on the adoption of said order, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Cavarly, Crain, Dougherty, Edwards, Fithian, Harrison, Henry, Johnson, Judd, Killpatrick, Matteson, McMillan, McMurtry, Minard, Powers, Ruggles, Ryan, J. Smith, G. Smith, Vandeventer, Waters, Webb and Worthington—25.

Those voting in the negative, are,

Messrs. Catlin, Constable, Davis, Dunlap, Forman, Harris, Leviston, Markley, Morrison, Nunnally, Parker, Thompson, Warren and Wilbanks—14.

The bill entitled “An act to ascertain the amount of the State debt preparatory to a provision to pay the same by taxation,” being under con-

sideration, and the question recurring on the question pending at the time of adjournment, which was upon the adoption of the amendment proposed by Mr. Edwards,

Mr. Webb moved to refer said bill to the committee on the Judiciary with instructions to report the same back on to morrow morning.

Mr. Edwards modified his motion to amend so as to make it read as follows:

"No portion of the principal or interest, shall be paid on any bonds or scrip, until registered under the provisions of the law, provided that a pro rata allowance of the amount of interest on the whole amount of debt as reported by the Governor, shall only be paid so that as each bond or scrip is registered, every creditor shall receive his distributive share of interest that may be appropriated by law for each class of State indebtedness."

And the question being taken on referring said bill to the committee on the Judiciary with instructions, it was decided in the affirmative.

Mr. Vandeventer, from the committee on Incorporations, to which was referred a bill for "An act to incorporate the Illinois cotton manufacturing company," reported the same back with amendments, which were concurred in; and the bill as amended,

Ordered to be engrossed for a third reading.

Mr. Dougherty, from the committee on Internal Improvements, to which was referred a bill from the House of Representatives entitled "An act declaring a certain road in Scott county a State road," reported the same back with an amendment, which was concurred in; and the bill as amended,

Ordered to a third reading.

On motion of Mr. Dougherty,

The rule was dispensed with, said bill read a third time as amended and passed.

Mr. Constable moved to amend the title so as to make it read "An act concerning State roads therein named;" which was agreed to.

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendments thereto.

Mr. Markley, from the committee on Internal Navigation, to which was referred a bill from the House of Representatives entitled "An act concerning the Sangamon river," reported the same back with an amendment.

Mr. Powers moved to amend the proposed amendment by inserting in the second section where the words are stricken out, as follows:

"To said dam a lock at least thirty feet in width, and one hundred feet in length," and also, strike out the word "seven" in the 4th section and insert "six;" which said amendments were agreed to, and the amendment as amended concurred in; and said bill as amended,

Ordered to a third reading.

Mr. Cavarly, from the committee on the Judiciary, to which was referred the bill entitled "An act to vacate a part of the town of Greenfield, in Greene county," reported the same back with an amendment.

On motion of Mr. Killpatrick,

Said bill and the proposed amendment were laid on the table.

Mr. Worthington, from the committee on Internal Navigation, to which was referred the petition of Richard Beck and others, in relation to a grant of land for the improvement of the Wabash river, reported the same back, and said committee were discharged from a further consideration of the subject.

On motion of Mr. Markley,

Said petition was laid on the table.

Mr. Constable, from the select committee, to which was referred a bill for "An act making certain judgments a lien on personal property from the service of *capias*," reported the same back and the committee were discharged from its further consideration; and the bill

On motion of Mr. Constable,

Indefinitely postponed.

On motion of Mr. G. Smith,

Ordered by the Senate, That the standing hour of adjournment for the remainder of the present session shall be nine o'clock in the morning.

Mr. Ruggles, on leave, introduced a bill for "An act to amend an act, entitled 'An act to incorporate the Rock river seminary, in Ogle county, Illinois;'" which was read, and

Ordered to a second reading.

On motion of Mr. Ruggles,

The rule was dispensed with, said bill read a second time by its title; and the rule being on like motion further dispensed with, the bill was read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary ask the concurrence of the House of Representatives in the passage of said bill.

Mr. G. Smith, on leave, introduced a bill entitled "An act to change the place of holding the circuit court of Madison county a part of the time, and for other purposes;" which was read, and

Ordered to a second reading.

On motion of Mr. G. Smith,

The rule was dispensed with, said bill read a second time by its title, and

On motion of Mr. Cavarly,

Referred to the committee on the Judiciary.

Mr. Harrison, on leave, introduced a bill entitled "An act authorising the county commissioners of Jo Daviess county to appoint an assessor and collector;" which was read, and

Ordered to a second reading.

On motion of Mr. Harrison,

The rule was dispensed with, said bill read a second time by its title, and

Referred to the committee on the Judiciary.

Mr. G. Smith, on leave, introduced a bill entitled "An act to incorporate the Upper Alton cemetery;" which was read, and

Ordered to a second reading.

On motion of Mr. G. Smith,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed for a third reading.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Killpatrick,

The bill laid on the table this morning entitled "An act to vacate a part of the town of Greenfield, in Greene county," together with the proposed amendments thereto of the committee on the Judiciary, were taken up, the amendments concurred in; and said bill as amended,

Ordered to be engrossed for a third reading.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in their amendment to a bill for "An act making partial appropriations," as amended by the House.

In which amendment I am directed to ask the concurrence of the Senate.

Mr. Constable, on leave, introduced a bill entitled "An act to amend 'An act relative to wills and testaments, executors, administrators, and the settlement of estates,' " in force July 1, 1829; which was read, and

Ordered to a second reading.

On motion of Mr. Vandeventer,

The rule was dispensed with, and said bill read a second time by its title.

Mr. Killpatrick moved to refer said bill to the committee on the Judiciary; which was not agreed to.

The question being taken on ordering said bill to be engrossed for a third reading, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Catlin, Cavarly, Constable, Crain, Dougherty, Dunlap, Harris, Leviston, Minard, Nunnally, Parker, Ruggles, Ryan, J. Smith, G. Smith, Thompson, Vandeventer, Waters and Worthington—20.

Those voting in the negative, are,

Messrs. Davis, Edwards, Fithian, Forman, Henry, Johnson, Judd, Killpatrick, Markley, McMillan, McMurtry, Powers, Warren and Webb—14.

On motion of Mr. Killpatrick,

The Senate resolved itself into a committee of the whole, Mr. McMurtry in the chair, again to consider the bill for "An act to organize and maintain common schools."

A message from the House of Representatives, by Mr. Lott, a member of the House:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have adopted the following resolution:

Resolved by the House of Representatives, the Senate concurring herein, That the members of the two Houses of this General Assembly, will meet in the Hall of the House of Representatives, on Monday the 17th day of February inst., at 7 o'clock, P. M. for the purpose of electing three associate justices of the Supreme Court to fill the vacancies existing in the 2d, 5th and 9th circuits, occasioned by the resignations of the Hon. James Semple, and Hon. Stephen A. Douglass, and by the death of the

Hon. John M. Robinson; and also to elect a State Treasurer and an Auditor of Public Accounts.

In the adoption of which I am directed to ask the concurrence of the Senate.

After some time spent in the consideration of said bill, the committee of the whole rose, and reported the same with amendments back to the Senate.

On motion of Mr. Constable,

The bill and amendments were referred to the committee on School Lands and Education, with instructions to report a bill having said amendments embodied in it.

On motion of Mr. Cavarly,

The order of business was suspended, and the resolution concerning the election of certain justices of the Supreme Court, &c., contained in the last message from the House of Representatives, was taken up for consideration.

On motion,

The Senate adjourned.

FRIDAY, FEBRUARY 14, 1845.

Senate met pursuant to adjournment.

Mr. Nunnally moved a call of the Senate;

And some time having elapsed, the further proceedings under the call were

On motion of Mr. Harris,

Dispensed with.

On motion of Mr. Thompson, leave being granted,

Ordered, That Charles Oakley, Esq., be invited to take a seat within the bar of the Senate.

Mr. Powers presented the petition of 368 citizens of De Witt county, remonstrating against the removal of the county seat; which was on his motion, referred to the committee on counties.

On motion of Mr. Warren,

The bill in the message from the House of Representatives entitled "An act making partial appropriations," with an amendment of the Senate, as amended by the House of Representatives, was taken up for consideration.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed to inform the Senate, that the House of Representatives have adopted the following resolution:

Resolved by the House of Representatives, That the Senate be respectfully requested to return to the House a bill for "An act making partial appropriations."

Mr. Warren moved that the bill and amendment under consideration be laid on the table; and the question being taken thereon, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Buford, Catlin, Cavarly, Fithian, Forman, Harris, Markley,

Matteson, McMurtry, Nunnally, Parker, G. Smith, Thompson, Vandeventer, Warren, Webb and Worthington—17.

Those voting in the negative, are,

Messrs. Boal, Constable, Crain, Davis, Dougherty, Dunlap, Henry, Johnson, Judd, Killpatrick, Leviston, Minard, Morrison, Powers, Ruggles, Ryan, J. Smith, Waters and Wynne—19.

On motion of Mr. Webb,

The order of business was suspended, and the message just received from the House of Representatives, requesting the return of the bill under consideration to the House, was taken up, and

Ordered, That said bill be returned to the House of Representatives, in accordance with such request.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed bills of the following titles:

"An act to authorise William C. Tiffany and David Cory to re-survey a street therein named;" and

"An act for the benefit of Garrett M. Blue, late sheriff of the county of Livingston."

In the passage of which they ask the concurrence of the Senate.

The House have concurred with the Senate in the passage of a bill for "An act authorising David Anderson to keep a ferry across the Kaskaskia river," as amended by the House.

In which amendment they ask the concurrence of the Senate.

The House have refused to order to a third reading a Senate bill for "An act repealing a part of the law in relation to the decisions of the Supreme Court of the State of Illinois."

A message from the Governor, by Thompson Campbell, Esq., Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a written communication.

Mr. Killpatrick, from the committee on School Lands and Education, to which was referred the bill with instructions entitled "An act to establish and maintain common schools," reported the same back with the proposed amendment of the committee of the whole Senate to said bill and recommended their adoption.

On motion of Mr. G. Smith,

The amendment of the committee of the whole to the 63d section was amended by striking out "twenty" and inserting "twenty-one."

The question being then taken on concurring with the committee in their several amendments, it was decided in the affirmative.

Mr. Markley moved to amend the bill by striking out sections numbered 85, 86 and 87.

Mr. Vandeventer called for a division so that the vote might first be taken on striking out sections 85 and 86.

On motion of Mr. Vandeventer,

The motion to strike out the 85th and 86th sections was amended as follows:

The words "in the township," in the 3d line and the words "in said township," in the 9th line of the 86th section, were stricken out, and the

words "school districts," inserted in lieu of the word "townships," in the 2d line of the 85th section.

On motion of Mr. Constable,

The motion to strike out the 85th and 86th sections was further amended by striking out the word "treasurer" from the 4th line and inserting "directors" in lieu thereof.

Mr. Johnson moved further to amend the 86th section by adding after the word "year," in the 4th line the words "not exceeding twenty cents on the hundred dollars."

Mr. Catlin moved that the amendment be laid on the table; and the question being taken thereon, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Catlin, Cavarly, Constable, Henry, Judd, Killpatrick, Matteson, McMillan, McMurtry, Morrison, Thompson, Vandeventer and Worthington—14.

Those voting in the negative, are,

Messrs. Crain, Dunlap, Fithian, Forman, Harris, Johnson, Leviston, Markley, Minard, Nunnally, Parker, Powers, Ruggles, J. Smith, G. Smith, Warren and Wynne—17.

Mr. McMurtry moved that the amendment be amended by striking out "twenty" and inserting "twenty-five," and the question being taken thereon, it was decided in the negative.

The question then being taken upon the amendment proposed by Mr. Johnson to add the words "not exceeding twenty cents," &c., it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Edwards, Forman, Johnson, Killpatrick, Leviston, McMillan, Minard, Parker, Ruggles, G. Smith, Thompson and Webb—13.

Those voting in the negative, are,

Messrs. Catlin, Cavarly, Constable, Crain, Davis, Dougherty, Dunlap, Fithian, Harris, Henry, Markley, McMurtry, Morrison, Nunnally, Powers, J. Smith, Vandeventer, Warren, Waters, Worthington and Wynne—21.

Mr. Vandeventer moved to amend the 86th section by adding after the word "year" the words "not exceeding fifteen cents on the hundred dollars;" which was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Dougherty, Fithian, Forman, Henry, Johnson, Leviston, Markley, Minard, Nunnally, Parker, Powers, G. Smith, Vandeventer, Waters, Webb and Worthington—16.

Those voting in the negative, are,

Messrs. Boal, Buford, Catlin, Cavarly, Constable, Crain, Davis, Dunlap, Judd, Killpatrick, Matteson, McMillan, McMurtry, Morrison, Ruggles, Thompson, Warren and Wynne—18.

Mr. Powers moved that the 86th section be amended by inserting after the word "year" the words "not exceeding ten cents on the hundred dollars;" which was not agreed to.

A message from the House of Representatives, by Mr. Cloud, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the Governor

transmitted to the House a communication on the subject of the subscription of the Illinois canal bondholders, for the purpose of completing the canal, &c.; which communication was referred to the committee on Finance and 10,000 copies ordered to be printed for the use of the two Houses.

Mr. Constable moved that the motion to strike out be amended as follows:

That the 86th section be amended in the 13th line by striking out the word "charged" and inserting in lieu thereof the word "credited;" and by adding to the end of the section the words "to the several districts to which the same belongs, to be drawn out on the order of the directors of the said districts."

On motion of Mr. G. Smith,

The order of business was suspended; when Mr. Speaker laid before the Senate the communication received from the Governor this morning, on the subject of the result of the negotiation for the \$1,600,000 canal loan; which was read, and

On motion of Mr. McMurtry,

Referred to the committee on Finance.

On motion of Mr. Vandeventer,

The order of business was further suspended; when Mr. Vandeventer, on leave, introduced a bill for "An act for the relief of Thomas S. Brockman, late collector of Brown county and securities;" which was read, and Ordered to a second reading.

On motion of Mr. Vandeventer,

The rule was dispensed with, said bill read a second time by its title, and

On motion of Mr. Markley,

Referred to the committee on Finance.

The question pending at the time of the last adjournment, being upon concurring with the House of Representatives in the adoption of their resolution, proposing that the two Houses of the General Assembly meet in the Hall of the House, on Monday next, for the purpose of electing three associate justices of the Supreme Court, to fill certain vacancies and an Auditor and Treasurer, that question was put and decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion,

The Senate adjourned until two o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The bill for "An act to establish and maintain common schools," as proposed to be amended by striking out the 85th, 86th and 87th sections, and as proposed to be amended, on the motion of Mr. Constable, in the 86th section, by striking out "charged," &c., coming up for consideration, said amendment to the 86th section was adopted.

On motion of Mr. Killpatrick,

The motion to strike out the 85th and 86th sections of said bill, was

amended by striking out "and" in the 3d line of the 85th section and inserting in lieu thereof, after the word "schools" the words "to build or repair school houses, or for."

Mr. Catlin moved to amend the motion to strike out, so as that the 85th section be further amended, by striking out the words "or to pay existing debts, contracted for school purposes before that time, in said township;" which motion was disagreed to.

The question being then taken on the motion to strike out the 85th and 86th sections, as amended, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Crain, Harris, Nunnally, Parker, Vandeventer, Warren, Waters, Wilbanke and Wynne—9.

Those voting in the negative, are,

Messrs. Boal, Catlin, Cavarly, Edwards, Fithian, Forman, Henry, Johnson, Judd, Killpatrick, Matteson, McMillan, McMurtry, Morrison, Powers, Ruggles, J. Smith, Thompson, Webb and Worthington—20.

The question then pending, being upon the motion to strike out the 87th section, Mr. Powers called for a division of the question, so that the vote might be first taken upon striking out said section so far as, and including the words "provided that."

The question being taken on striking out all of said section before, and including the words "provided that," it was decided in the affirmative.

On motion of Mr. Johnson,

The motion to strike out the remainder of said section was amended by striking therefrom the words "township or."

Mr. Vandeventer moved to amend by striking from the remainder of said section all after the word "purposes;" which was not agreed to.

Mr. Vandeventer moved to amend by striking from said portion of said section the word "twenty" and inserting "ten," in lieu thereof.

Mr. McMurtry called for a division.

The question being taken on striking out the word "twenty," it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Catlin, Cavarly, Crain, Dunlap, Fithian, Harris, Leviston, Markley, McMurtry, Morrison, Nunnally, Parker, Vandeventer, Warren, Waters, Wilbanks and Wynne—17.

Those voting in the negative, are,

Messrs. Boal, Edwards, Forman, Henry, Johnson, Judd, Killpatrick, Matteson, McMillan, Powers, Ruggles, J. Smith, Thompson and Worthington—14.

Mr. Edwards moved that the blank just made be filled with "eighteen."

Mr. Catlin moved that it be filled with "thirty."

Mr. Catlin moved a call of the Senate, which proceeded; and after some time, was

On motion of Mr. Edwards,

Dispensed with.

Mr. Catlin moved a call of the Senate; and the question being taken: "Shall a call of the Senate be had?" It was decided in the negative.

The question being taken on the motion to fill the blank with "thirty," it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Catlin, Edwards, Forman, Judd, Killpatrick, Matteson, McMillan, McMurtry, Ryan, Thompson and Worthington—12.

Those voting in the negative, are,

Messrs. Buford, Cavarly, Crain, Dunlap, Fithian, Harris, Henry, Johnson, Leviston, Markley, Morrison, Nunnally, Parker, Powers, Ruggles, J. Smith, Vandeventer, Warren, Waters, Webb, Wilbanks and Wynne—22.

The question then being taken on filling the blank with "eighteen," it was decided in the negative.

Mr. Johnson moved to fill the blank with "fifteen;" which was not agreed to.

Mr. Vandeventer moved to fill the blank with "ten;" which was decided by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Buford, Cavarly, Crain, Fithian, Henry, Johnson, Leviston, Markley, Nunnally, Parker, Powers, J. Smith, Vandeventer, Warren, Waters, Webb and Worthington—17.

Those voting in the negative, are,

Messrs. Boal, Catlin, Dunlap, Edwards, Forman, Harris, Judd, Killpatrick, Matteson, McMillan, McMurtry, Morrison, Ruggles, Ryan, Thompson, Wilbanks and Wynne—17.

And there being a tie, Mr. Speaker voted in the negative; so the motion was lost.

Mr. Catlin moved a call of the Senate, and after some time, the further proceedings under the call, were

On motion of Mr. Warren,

Dispensed with.

The question recurring upon the motion to strike out the remainder of the 87th section, as amended, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Catlin, Dougherty, Edwards, Forman, Henry, Judd, Killpatrick, Matteson, McMillan, McMurtry, Morrison, Nunnally, Powers, Ruggles, J. Smith, Thompson, Webb, Wilbanks and Wynne—21.

Those voting in the negative, are,

Messrs. Cavarly, Crain, Dunlap, Fithian, Harris, Johnson, Leviston, Markley, Minard, Parker, G. Smith, Vandeventer, Warren, Waters and Worthington—15.

Mr. Powers moved that the 72d section be amended by inserting after the word "respectively," the words "and such money so apportioned, shall be held to be due and belong, in equal proportion to every free white child over 5 and under 20 years of age, who shall attend school at least 3 months in the year; provided such proportion shall not exceed the amount of tuition fees."

Mr. Constable moved that the amendment be laid on the table; and the question being taken thereon, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Catlin, Constable, Dougherty, Harrison, Johnson, Judd, Killpatrick, Matteson, McMillan, McMurtry, Minard, Morrison, Ruggies, G. Smith, Thompson, Vandeventer, Webb and Worthington—18.

Those voting in the negative, are,

Messrs. Boal, Cavarly, Crain, Dunlap, Edwards, Fithian, Forman, Harris, Henry, Leviston, Markley, Nunnally, Parker, Powers, J. Smith, Warren, Waters, Wilbanks and Wynne—19.

Mr. Powers moved to amend the amendment by striking therefrom the words "who shall attend school at least 3 months in the year."

Mr. Warren moved the previous question; and the question being taken: "Shall the main question be now put?" It was decided in the affirmative.

The question being taken on the adoption of the amendment to the amendment, it was decided in the affirmative.

The question then being taken on the adoption of the amendment, as amended, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Cavarly, Crain, Dunlap, Edwards, Fithian, Forman, Harris, Henry, Leviston, Markley, Nunnally, Parker, Powers, J. Smith, Vandeventer, Warren, Waters and Wilbanks—19.

Those voting in the negative, are,

Messrs. Catlin, Constable, Davis, Dougherty, Harrison, Johnson, Judd, Killpatrick, Matteson, McMillan, McMurtry, Minard, Morrison, Ruggies, G. Smith, Thompson, Worthington and Wynne—18.

The question then being taken: "Shall the bill as amended, be engrossed for a third reading?" It was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Catlin, Cavarly, Crain, Dunlap, Edwards, Fithian, Forman, Henry, Killpatrick, Nunnally, Parker, Powers, J. Smith, Vandeventer, Waters and Wilbanks—17.

Those voting in the negative, are,

Messrs. Constable, Davis, Dougherty, Harris, Harrison, Johnson, Judd, Leviston, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Ruggies, G. Smith, Thompson, Warren, Worthington and Wynne—20.

On motion,

The Senate adjourned.

SATURDAY, FEBRUARY 15, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Parrish, a member of the House of Representatives.

Mr. Wynne presented the petition of sundry citizens of Rock Island county, against any change in the ferry at the town of Rock Island, or the granting of any other ferry at said town; which was read, and on his motion, referred to the committee on the Judiciary.

Mr. Johnson presented the petition of Elizabeth Powling, praying the passage of an act authorizing her to sell certain real estate; which was read, and on his motion, referred to the committee on the Judiciary.

Mr. Cavarly, from the joint Judiciary committee of the two Houses, reported chapters 57, 61, 84, 87 and 93 of the Revised Statutes.

Chapters 57 and 84 were severally read, and

Ordered to a second reading.

On motion of Mr. McMurtry,

The rule was dispensed with, said chapters read a second time by their titles, and

Ordered to be engrossed for a third reading.

Chapter 61 was read, and

Ordered to a second reading.

On motion of Mr. Markley,

The rule was dispensed with, said chapter read a second time by its title, and

Ordered to be engrossed for a third reading.

Chapter 87 was read, and

Ordered to a second reading.

On motion of Mr. Warren,

The rule was dispensed with, said chapter read a second time by its title, and

Ordered to be engrossed for a third reading.

Chapter 93 was read, and ordered to a second reading.

On motion of Mr. Warren,

The rule was dispensed with, said chapter read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Cavarly, from the same committee, to which was referred chapter 63 of the Revised Statutes, reported the same back without amendment, and said chapter was

Ordered to be engrossed for a third reading.

On motion of Mr. Cavarly,

The rule was dispensed with, and chapter 55 some days since laid on the table was taken up, and said chapter ordered to be engrossed; and also,

Chapter 23 was on his motion taken up and recommitted to the joint Judiciary committee of the two Houses.

A message from the Governor, by Mr. Clark:

Mr. Spraker: I am directed by the Governor to lay before the Senate a communication in writing.

On motion of Mr. Cavarly,

The order of business was suspended, and the message from the House of Representatives containing sundry chapters of the Revised Statutes were taken up for consideration.

Chapters 2, 3, 7, 10, 12 and 13 were severally read, and

Ordered to a second reading.

On motion of Mr. Harris,

The rule was dispensed with, said chapters were severally read a second time by their titles, and

Ordered to a third reading.

On motion of Mr. Vandeventer,

The rule was further dispensed with, said chapters severally read a third time by their titles and passed.

Ordered, That the Secretary inform the House of Representatives thereof.

Chapters 15, 16, 17, 19, 21, 8 and 27 were severally read, and

Ordered to a second reading.

On motion of Mr. Harris,

The rule was dispensed with, said chapters severally read a second time by their titles, and

Ordered to a third reading.

On motion of Mr. Harris,

The rule was further dispensed with, said chapters severally read a third time by their titles and passed.

Ordered, That the Secretary inform the House of Representatives thereof.

Chapters 31, 41, 42, 47, 49 and 51 were severally read, and

Ordered to a second reading.

On motion of Mr. Harris,

The rule was dispensed with, said chapters severally read a second time by their titles, and

Ordered to a third reading.

On motion of Mr. Markley,

The rule was further dispensed with, said chapters severally read a third time by their titles and passed.

Ordered, That the Secretary inform the House of Representatives thereof.

Chapters 60, 65, 66, 67, 96 and 105 were severally read, and

Ordered to a second reading.

On motion of Mr. Harris,

The rule was dispensed with, said chapters severally read a second time by their titles, and

Ordered to a third reading.

On motion of Mr. Markley,

The rule was further dispensed with, said chapters severally read a third time by their titles and passed.

Ordered, That the Secretary inform the House of Representatives thereof.

Chapter 101 was read, and ordered to a second reading.

On motion of Mr. Harris,

The rule was dispensed with, said chapter read a second time by its title, and

Ordered to a third reading.

On motion of Mr. McMurtry,

The rule was further dispensed with, said chapter read a third time by its title and passed.

Ordered, That the Secretary inform the House of Representatives thereof.

Chapters 44, 45, 46, 58, 70, 71, 78, 82, 87, 89, 90, 98, 99 and 100 were severally read, and

Ordered to a second reading.

On motion of Mr. Harris,

The rule was dispensed with, said chapters severally read a second time by their titles, and

Ordered to a third reading.

On motion of Mr. Markley,

The rule was further dispensed with, said chapters severally read a third time by their titles and passed.

Ordered, That the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in the passage of a bill for "An act for the relief of John O'Brien, late collector of Tazewell county."

On motion of Mr. Cavarly,

The order of business was further suspended, and the chapters of the Revised Statutes in the orders of the day on their third reading were taken up for consideration.

Chapters 32, 75, 80 and 102 were severally read a third time and passed.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of the same.

Mr. Vandeventer, from the committee on Incorporations, to which was referred several petitions and remonstrances of the citizens of Washington, in relation to an act of incorporation of said town, reported the same back, and said committee were discharged from a further consideration of the same.

On motion of Mr. Ruggles,

Said petitions were laid on the table.

Mr. Boal asked and obtained leave to withdraw the same from the files of the Senate.

Mr. Harris, from the committee on Petitions, reported a bill entitled "An act to allow any person the privilege of obtaining justice;" which was read, and

Ordered to a second reading.

On motion of Mr. Harris,

The rule was dispensed with, said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Harris, McMurtry and Warren be that committee.

Mr. Minard, from the committee on Finance, to which was referred the bill entitled "An act for the relief of Thomas S. Brockman, late collector of Brown county and securities," reported the same back without amendment; said bill was

Ordered to be engrossed for a third reading.

Mr. Harris, from the committee on Petitions, to whom was referred the petition of George Leonhard for divorce, reported the same back, and said committee were discharged from a further consideration of the subject.

On motion of Mr. Harris,

Said petition was laid on the table,

Mr. Wynne, from the select committee, to which was referred the petition of J. A. Phelps, reported a bill entitled "An act enabling Joseph A.

Phelps to keep a ferry across the east channel of Illinois river, opposite Grand Island;" which was read, and

Ordered to a second reading.

On motion of Mr. Wynne,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Crain, from the committee on Elections, reported a bill entitled "An act regulating mileage and charges of physicians in their professional practice;" which was read, and

Ordered to a second reading.

On motion of Mr. Crain,

The rule was dispensed with, said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Crain, Johnson and Wilbanks be that committee.

Mr. Ryan introduced a bill entitled "An act to establish a ferry across the Illinois river in La Salle county;" which was read, and

Ordered to a second reading.

On motion of Mr. Ryan,

The rule was dispensed with, said bill read a second time by its title, and referred to the committee on Internal Navigation.

Mr. Johnson introduced a bill entitled "An act to authorize Elizabeth Powling to sell certain real estate;" which was read, and

Ordered to a second reading.

On motion of Mr. Johnson,

The rule was dispensed with, said bill read a second time by its title, and referred to the committee on the Judiciary.

Mr. McMurtry introduced a bill entitled "An act concerning the county of Knox;" which was read, and

Ordered to a second reading.

On motion of Mr. McMurtry,

The rule was dispensed with, said bill read a second time by its title, and referred to the committee on Counties.

Mr. Parker introduced a bill entitled "An act to make the property of stock-holders of incorporations, individually liable for the debts of said incorporations;" which was read, and

Ordered to a second reading.

On motion of Mr. Parker,

The rule was dispensed with, said bill read a second time by its title, and referred to the committee on Incorporations.

Mr. J. Smith introduced a bill entitled "An act to settle the difficulties between Adams and Marquette counties, and for other purposes;" which was read, and

Ordered to a second reading.

On motion of Mr. J. Smith,

The rule was dispensed with, said bill read a second time by its title, and referred to the committee on Counties.

Mr. Fithian introduced a bill entitled "An act authorizing the erection of a bridge across the Big Vermilion river, in Vermilion county;" which was read, and

Ordered to a second reading.

On motion of Mr. Fithian,

The rule was dispensed with, said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Fithian, Boal and Powers be that committee.

Mr. Constable introduced a bill entitled "An act directing the collection of all debts due the State on account of the Gallatin salines;" which was read, and

Ordered to a second reading.

On motion of Mr. Constable,

The rule was dispensed with, said bill read a second time by its title, and referred to the committee on the Salines and Saline Lands.

Mr. Judd introduced bills entitled "An act to regulate the times of holding courts in the 6th, 7th and 9th judicial circuits;"

"An act to improve the State property at the town of La Salle;"

"An act giving creditors equal rights with debtors;" and

"An act for certain purposes therein named;" which were severally read, and

Ordered to a second reading.

On motion of Mr. Judd,

The rule was dispensed with, said bills severally read a second time by their titles, and referred to a select committee.

Ordered, That Messrs. Judd, Matteson and Ryan be that committee.

Mr. Wynne introduced a bill entitled "An act in relation to a bridge across the Sangamon river at Young's canoe landing;" which was read, and

Ordered to a second reading.

On motion of Mr. Wynne,

The rule was dispensed with, said bill read a second time by its title, and referred to the committee on Public Roads.

Mr. Leviston introduced bills entitled "An act relating to county officers;"

"An act for the relief of persons therein named;" and

"An act to establish a ferry across the Ohio river;" which were severally read, and

Ordered to a second reading.

On motion of Mr. Leviston,

The rule was dispensed with, said bills severally read a second time by their titles, and referred to a select committee.

Ordered, That Messrs. Leviston, Wilbanks and Crain be that committee.

Mr. Webb introduced a bill entitled "An act regulating the time of holding courts in the fourth judicial circuit;" which was read, and

Ordered to a second reading

On motion of Mr. Webb,

The rule was dispensed with, said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Webb, Constable and Dunlap be that committee.

Mr. Crain introduced a bill entitled "An act in relation to persons carry-

ing deadly weapons about their persons in a concealed manner in time of peace;" which was read, and

Ordered to a second reading.

On motion of Mr. Crain,

The rule was dispensed with, said bill read a second time by its title, and referred to the committee on Elections.

Mr. Dougherty introduced a bill entitled "An act to grant a ferry across the Ohio river at Cairo, to Bryne Shawnessy and Patrick Smith;" which was read, and

Ordered to a second reading.

On motion of Mr. Dougherty,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed for a third reading.

On motion of Mr. Dougherty,

The rule was dispensed with, said bill read a third time by its title and passed.

Ordered. That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

Mr. Ruggles introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the Rock river bridge company,'" approved March 3d, 1843; which was read, and

Ordered to a second reading.

On motion of Mr. Ruggles,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Morrison introduced a bill entitled "An act to authorize the trustees of the town of Kaskaskia to lease the commons belonging to said town;" which was read, and

Ordered to a second reading.

On motion of Mr. Morrison,

The rule was dispensed with, said bill read a second time by its title, and referred to the committee on the Judiciary.

Mr. Parker introduced bills entitled "An act in relation to the public revenue;" and

"An act in relation to school lands and for other purposes;" which were severally read, and

Ordered to a second reading.

On motion of Mr. Parker,

The rule was dispensed with, said bills severally read a second time by their titles, and referred to a select committee.

Ordered. That Messrs. Parker, Vandeventer and J. Smith be that committee.

A message from the Council of Revision, by Mr. Hawley, their Secretary:

Mr. Speaker: I am directed to say that the Council of Revision has approved a bill of the following title, to wit:

"An act to amend an act entitled 'An act to improve the navigation of the rapids of Rock river at Rockford, in the county of Winnebago, and

to incorporate the Rockford Hydraulic and Manufacturing Company," approved February 28th, 1813.

Mr. Forman, on leave, introduced bills of the following titles:

"An act for burning all Auditor's warrants deposited in the Auditor's office and cancelled;"

"An act to repeal all laws requiring the Governor to reside at the Seat of Government;" which bills were severally read, and

Ordered to a second reading.

On motion of Mr. Forman,

The rule was dispensed with, said bills read a second time by their titles, and referred to the committee on Finance.

Mr. G. Smith, on leave, introduced a bill for "An act to secure the rights of the people;" which was read, and

Ordered to a second reading.

And the rule having been dispensed with, on his motion, the bill was read a second time by its title, and referred to a select committee.

Ordered, That Messrs. G. Smith, Worthington and McMillan be that committee.

Mr. Catlin, on leave, introduced a bill for "An act to distribute certain school money;" which was read, and

Ordered to a second reading.

And the rule having been dispensed with, on his motion, the bill was read a second time by its title, and referred to the committee on School Lands and Education.

Mr. Forman, also, on leave, introduced a bill for "An act to reduce the State debt fourteen million of dollars, and put the State into liquidation;" which was read, and

Ordered to a second reading.

And the rule having been dispensed with, on his motion, read a second time by its title, and referred to the committee on Finance.

Mr. Killpatrick, on leave, introduced a bill for "An act to pay the State debt, to finish the canal, wind up all the banks in the State, and for other purposes;" which was read, and

Ordered to a second reading.

And the rule having been dispensed with, on his motion, read a second time by its title, and referred to the committee on Retrenchment.

Mr. Cavarly, on leave, introduced a bill for "An act to establish the times of holding circuit courts in the first judicial circuit;" which was read, and

Ordered to a second reading.

And the rule having been dispensed with, on his motion, read a second time by its title, and referred to the committee on the Judiciary.

Mr. Dougherty, on leave, introduced a bill for "An act to repeal the office of Public Printer;" which was read, and

Ordered to a second reading.

And the rule having been on his motion dispensed with, read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Dougherty, Cavarly and Webb be that committee.

On motion of Mr. Ruggles,

The vote taken upon the question shall the bill entitled "An act to establish and maintain common schools be engrossed for a third reading as amended." Was re-considered.

On motion of Mr. Edwards,

The vote taken upon the amendment to said bill as amended offered by Mr. Powers, and adopted on yesterday, was re-considered.

On motion of Mr. Cavarly,

The vote taken upon ordering the main question in relation to said bill was re-considered.

Mr. Warren withdrew the motion for the previous question, made by him on yesterday.

Mr. Powers moved that the bill and amendments be referred to a select committee of five.

Mr. Dougherty moved that the bill and amendments be referred to the committee on School Lands and Education.

Mr. Parker moved to amend the latter motion, so as to make one to refer with the following instructions:

"To report the same back to the Senate on Monday next, and to strike out the 85th, 86th and 87th sections thereof."

Mr. Constable moved that the latter motion to refer with instructions, be laid on the table.

Mr. Forman called for a division of the question arising upon the motion to lay on the table.

The question then being first taken upon that part of the motion, proposing that the instructions be laid on the table, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Catlin, Constable, Dougherty, Edwards, Fithian, Forman, Harrison, Henry, Johnson, Judd, Killpatrick, Matteson, McMillan, McMurtry, Minard, Morrison, Powers, Ruggles, Ryan, G. Smith, Thompson, Webb and Worthington—25.

Those voting in the negative, are,

Messrs. Cavarly, Crain, Dunlap, Harris, Leviston, Markley Parker, J. Smith, Vandeventer, Warren, Waters and Wynne—12.

The question being then taken on that portion of the motion, proposing that the motion to refer the bill and amendments to the committee on School Lands and Education be laid on the table, it was decided in the affirmative.

Mr. Constable moved to lay the motion to refer to a select committee on the table; which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Catlin, Cavarly, Dougherty, Dunlap, Edwards, Forman, Harrison, Henry, Johnson, Judd, Killpatrick, Matteson, McMillan, McMurtry, Minard, Morrison, Ruggles, Ryan, G. Smith, Thompson, Webb and Worthington—24.

Those voting in the negative, are,

Messrs. Constable, Crain, Fithian, Harris, Leviston, Markley, Parker, Powers, J. Smith, Vandeventer, Warren and Wynne—12.

Mr. Judd moved to lay the amendment proposed by Mr. Powers as

amended on the table; which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Catlin, Constable, Dougherty, Edwards, Forman, Harrison, Henry, Johnson, Judd, Killpatrick, Matteson, McMillan, McMurtry, Minard, Morrison, Ruggles, Ryan, G. Smith, Thompson, Webb and Worthington—23.

Those voting in the negative, are,

Messrs. Cavarly, Crain, Dunlap, Fithian, Harris, Leviston, Markley, Parker, Powers, J. Smith, Vandeventer, Warren and Wynne—13.

Mr. Constable moved to amend the bill by inserting after the word "year" in the 86th section as follows:

"Not exceeding one-fifth of one per cent. upon the one hundred dollars."

Mr. Catlin moved to amend the proposed amendment by striking out the words "one-fifth of one," and insert "thirty."

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The question pending at the time of the last adjournment being upon the motion made by Mr. Catlin, to amend the amendment offered by Mr. Constable by striking out the words "one-fifth of one per cent.," and inserting in lieu thereof the words "thirty cents," that question was put, and decided in the negative.

The question then being taken upon the adoption of the amendment so offered by Mr. Constable, it was decided in the negative.

Mr. Davis moved to amend the 86th section by inserting after the word "year" the words "not exceeding fifty cents on the hundred dollars;" which was decided in the negative.

Mr. Forman moved a call of the Senate; which proceeded, and was after some time,

On motion of Mr. Judd,

Dispensed with.

Mr. Johnson moved that said section be amended by inserting after said word "year," the words "not exceeding fifteen cents on the hundred dollars."

On motion of Mr. Davis,

The vote taken on the adoption of the amendment proposing that not exceeding one-fifth of one per cent. upon the hundred dollars be levied for school purposes, was re-considered.

Mr. Davis moved that said amendment be amended by striking out the words "one-fifth of one per cent.," and inserting in lieu thereof, the words "twenty-five cents;" which amendment to the amendment was,

On motion of Mr. Cavarly,

Laid on the table.

The question being then again taken on the adoption of the amendment

offered by Mr. Constable, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Catlin, Constable, Davis, Dougherty, Edwards, Forman, Harrison, Henry, Johnson, Judd, Killpatrick, Matteson, McMillan, Minard, Ruggles, G. Smith, Thompson and Worthington—19.

Those voting in the negative, are,

Messrs. Buford, Cavarly, Crain, Dunlap, Fithian, Harris, Leviston, Markley, McMurtry, Morrison, Parker, Powers, Ryan, J. Smith, Vandeventer, Warren, Waters, Webb, Wilbanks and Wynne—20.

The question then being taken on the adoption of the amendment proposed by Mr. Johnson, providing that not more than fifteen cents on the hundred dollars be levied for school purposes, it was decided in the affirmative.

Mr. Parker moved to amend the bill by adding the following proviso:

“Provided, however, that none of the provisions of this act, which provide for the levying of a tax for school purposes shall be considered binding on those who do not participate in the election to ascertain whether the majority will levy a tax or not.”

Mr. Worthington moved that the proviso be laid on the table.

Mr. Warren moved a call of the Senate; which, having proceeded for a time, was

On motion of Mr. Killpatrick,

Dispensed with.

The question being then taken on laying the proviso on the table, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Catlin, Constable, Dougherty, Edwards, Fithian, Forman, Harrison, Henry, Johnson, Judd, Killpatrick, Matteson, McMillan, McMurtry, Minard, Morrison, Ruggles, Ryan, G. Smith, Thompson, Vandeventer, Webb and Worthington—25.

Those voting in the negative, are,

Messrs. Cavarly, Crain, Dunlap, Harris, Leviston, Markley, Parker, Powers, J. Smith, Warren, Waters, Wilbanks and Wynne—13.

Mr. Constable moved to amend the 86th section by inserting after the word “if” in the 4th line the following:

“Of all the voters of the district.”

Mr. McMurtry moved to amend the proposed amendment by prefixing the words “two-thirds;” which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Cavarly, Crain, Dunlap, Fithian, Harris, Leviston, Markley, McMurtry, Parker, Powers, J. Smith, G. Smith, Vandeventer, Warren, Waters, Webb, Wilbanks and Wynne—20.

Those voting in the negative, are,

Messrs. Catlin, Constable, Dougherty, Edwards, Forman, Harrison, Henry, Johnson, Judd, Killpatrick, Matteson, McMillan, Minard, Morrison, Ruggles, Ryan, Thompson and Worthington—18.

The question then being taken on the adoption of the amendment as amended, it was decided in the affirmative.

On motion of Mr. Constable,

The following was adopted as a substitute for the 90th section:

"An act entitled 'An act making provisions for organizing and maintaining common schools,' in force July 1, 1841; and all other acts and parts of acts coming within the purview of this act, are hereby repealed."

Mr. G. Smith moved to amend the 12th section by striking out all between the word "he" in the 4th line, and the word "fund" in the 10th line inclusive; which was not agreed to.

On motion of Mr. Constable,

The question, "Shall the main question be now put?" Was ordered.

The question; "Shall the bill as amended be engrossed for a third reading?" being put, it was decided in the affirmative.

Mr. Catlin, on leave, introduced bills entitled "An act to establish a State road in the county of St. Clair, and for other purposes;" and

"An act to prevent trespassing and other purposes;" which were severally read, and

Ordered to a second reading.

Mr. Ruggles, on leave, introduced a bill entitled "An act providing for the disposition of unclaimed costs in certain cases;" which was read, and

Ordered to a second reading.

On motion of Mr. Ruggles,

The rule was dispensed with, said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Ruggles, Dougherty and Thompson be that committee.

On motion.

The Senate adjourned.

MONDAY, FEBRUARY 17, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Hale.

Mr. G. Smith presented the petition of 129 citizens of Alton, praying the establishment of a ferry across the Mississippi river; which was read, and on his motion, referred to the select committee, appointed on Saturday last, on motion of Mr. G. Smith, to wit: Messrs. G. Smith, Worthington and McMillan.

A message from the House of Representatives, by Mr. Boyakin, a member of the House:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed bills of the following titles:

"An act to locate a State road therein named;"

"An act establishing Mordock precinct, in Monroe county;"

"An act to change the name of a town therein named;"

"An act to legalize the acts of Andrew Deardoff, former acting clerk of the county commissioner's court of Union county;"

"An act to authorise the counties of Boone and Winnebago to lay certain taxes for county purposes;"

"An act to change the name of Coles and Erskine's addition to the town of Chester to that of Menard, and for other purposes;" and

"An act for the relief of Thomas Short, late collector of the revenue in Vermillion county."

In the passage of which several bills they ask the concurrence of the Senate.

The House have passed chapters 15, 31, 58, 68, 22, 69, 77, 78, 96, 101 and 107 of Revised Statutes,

In the passage of which they ask the concurrence of the Senate.

The House have adopted the accompanying resolutions, instructing our Senators and requesting our Representatives in Congress to oppose any alteration in the naturalization laws.

In the adoption of which they ask the concurrence of the Senate.

The House has concurred with the Senate in the passage of chapters 9, 10, 17, 18, 20, 21, 22, 24, 25, 26, 27, 30, 31, 33, 34, 35, 43, 56, 59, 74, 75, 78, 80, 83, 85, 91, 93, 94, 95 and 102 of the Revised Statutes.

Mr. Constable, from the committee on the Judiciary, to which was referred a bill entitled "An act authorising the county commissioners of Jo Daviess county to appoint an assessor and collector," reported the same back without amendment; said bill was

Ordered to be engrossed for a third reading.

Mr. Constable, from the same committee, to which was referred the bill entitled "An act concerning fees," reported the same back without amendment; said bill was

Ordered to be engrossed for a third reading.

Mr. Constable, from the same committee, to which was re-committed a bill from the House of Representatives entitled "An act for the further restriction of imprisonment for debt," with amendments heretofore reported by said committee and concurred in by the Senate, reported said bill back as so amended.

Ordered, That the bill as amended, be read a third time.

Mr. Cavarly, from the same committee, to which was referred a bill entitled "An act to ascertain the amount of the State debt, preparatory to a provision to pay the same by taxation," reported the same back with an amendment; which was concurred in.

Mr. Ryan moved to amend said bill by inserting after the word "published" in the first section, the words "for three months," which was agreed to; and said bill as amended,

Ordered to be engrossed for a third reading.

On motion of Mr. Cavarly,

Leave was granted to Mr. Hise to take a seat within the bar of the Senate, as a reporter for the Ottawa Free Trader, during the remainder of the session.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed a bill of the following title, viz:

"An act to attach a part of De Witt county to the county of Logan."

In the passage of which they ask the concurrence of the Senate.

Mr. Forman, from the committee on the Judiciary, to which was referred a bill entitled "An act to secure to married women their right to property," reported the same back without amendment.

The question being taken on ordering said bill be engrossed for a third reading, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Cavarly, Constable, Crain, Dunlap, Fithian, Forman, Harrison, Henry, Johnson, Leviston, Morrison, Parker, Ryan, J. Smith, G. Smith, Thompson and Wynne—18.

Those voting in the negative, are,

Messrs. Buford, Catlin, Davis, Edwards, Harris, Judd, Killpatrick, Markley, Matteson, McMurtry, Minard, Nunnally, Ruggles, Vandeventer, Warren, Waters, Webb, Wilbanks and Worthington—19.

Mr. Cavarly, from the same committee, to which was referred the bill entitled "An act to change the place of holding the circuit court of Madison county a part of the time, and for other purposes," reported the same back without amendment, and said committee were discharged from a further consideration of the subject.

Mr. Markley moved to amend said bill by adding the following:

"Provided that each county in this State shall have the same privilege whenever the majority of such county may desire it."

Mr. Davis moved to lay said bill and proposed amendment on the table.

Mr. Judd called for a division of the question; and the question being first taken on laying the amendment on the table, it was decided in the affirmative.

The question then being taken on laying said bill on the table, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Catlin, Constable, Davis, Dougherty, Dunlap, Fithian, Forman, Harris, Henry, Johnson, Killpatrick, Matteson, Minard, Morrison, Ryan, Waters, Webb, Wilbanks and Worthington—21.

Those voting in the negative, are,

Messrs. Cavarly, Edwards, Harrison, Judd, Leviston, Markley, Nunnally, Parker, Ruggles, J. Smith, G. Smith, Thompson, Vandeventer, Warren and Wynne—15.

Mr. Cavarly, from the committee on the Judiciary, to which was referred a bill entitled "An act to authorise the president and board of trustees of the town of Rock Island to keep a ferry across the Mississippi river," together with sundry petitions and remonstrances, reported the same back without amendment and recommended the passage of said bill.

Mr. Buford moved a call of the Senate; and after some time being spent therein, the further proceedings under the call were

On motion of Mr. Markley,

Dispensed with.

The question being taken on ordering said bill to be engrossed for a third reading, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Buford, Catlin, Constable, Crain, Dougherty, Edwards, Forman, Henry, Judd, Leviston, Matteson, McMurtry, Vandeventer and Webb—14.

Those voting in the negative, are,

Messrs. Boal, Cavarly, Dunlap, Harris, Harrison, Johnson, Killpatrick,

Markley, Minard, Morrison, Nunnally, Ruggles, J. Smith, G. Smith, Thompson, Warren, Waters, Worthington and Wynne—19.

On motion of Mr. Dougherty,

The order of business was suspended to enable him to offer for adoption the following:

Ordered, That the Enrolling and Engrossing Clerk of the Senate be and he is hereby authorised to employ such number of assistants as are necessary to enable him to keep up with the business of his office, and prepare the chapters of Revised Statutes for the action of the Senate and Council of Revision, in due time.

Mr. Cavaryl moved that the order be amended by adding thereto the following:

“Provided, however, that the compensation to be allowed to such assistants shall not exceed the sum of two dollars each per day.”

Mr. Constable moved that ‘one’ be inserted instead of ‘two.’

Mr. Dougherty moved that ‘three’ be inserted instead of ‘two;’ which was not agreed to.

The amendment to the order was then adopted; and the question being taken on the adoption of the order as amended, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Buford, Catlin, Cavaryl, Dougherty, Dunlap, Forman, Harris, Henry, Johnson, Judd, Killpatrick, Leviston, Matteson, McMurtry, Minard, Morrison, Nunnally, Parker, Ruggles, Ryan, J. Smith, Thompson, Warren, Waters, Wilbanks and Wynne—26.

Those voting in the negative, are,

Messrs. Boal, Constable, Edwards, Fithian, Harrison, Markley, G. Smith, Vandeventer, Webb and Worthington—10.

Mr. Forman, from the committee on the Judiciary, to which was referred a bill entitled “An act to authorise William Forester and Abraham Howard to build a mill dam across the Kaskaskia river,” reported the same back with an amendment, which was concurred in; and said bill as amended,

Ordered to be engrossed for a third reading.

Mr. Edwards, from the committee on Internal Improvements, to which was referred the bill entitled “An act to incorporate the Sangamon and Morgan Railroad company,” reported the same back with an amendment, which was concurred in; and said bill as amended, was

Ordered to be engrossed for a third reading.

Mr. Thompson, from the select committee, to which was referred the resolution in relation to the Oregon question, reported a preamble and resolution upon the occupancy of Oregon; which was read and adopted.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion,

The Senate adjourned until 2 o’clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The orders of the day were taken up.

Senate bills on their third reading.

Chapters 57, 61 and 64 of the Revised Statutes, were severally read a third time and passed.

The bills entitled "An act to incorporate the Illinois Cotton Manufacturing company;"

"An act to amend an act, entitled 'An act to incorporate the Rock River Bridge company,'" approved March 3, 1843;

"An act enabling Joseph A. Phelps to keep a ferry across the east channel of the Illinois river, opposite Grand Island;"

"An act to incorporate the Upper Alton Cemetery;"

"An act to incorporate the Alton Cemetery;"

"An act to amend an act, entitled 'An act to prevent the unlawful driving away of cattle and other stock, by drovers and other person,'" approved February 3, 1841;

"An act to amend an act, entitled 'An act to incorporate the Juliet Seminary and to elevate the primary schools, in township 35 north, range 10 east,'" approved March 4, 1843;

"An act concerning fees;"

"An act in relation to the acts of the clerk of the county commissioner's court of Cumberland county;" and

"An act authorising the county commissioners of Jo Daviess county to appoint an assessor and collector," were severally read a third time and passed.

Chapters 62, 84 and 87 of Revised Statutes, were severally read a third time and passed.

The bill entitled "An act for the relief of Thomas S. Brockman, late collector of Brown county and securities," was read a third time and passed.

Mr. Constable moved that the title be amended by adding thereto 'No. 3;' which was not agreed to.

Ordered, That the titles of said bills and chapters be as aforesaid, and that the Secretary ask the concurrence of the House of Representatives in the passage thereof.

The bill entitled "An act to amend 'An act relative to wills and testaments, executors and administrators, and the settlement of estates,'" in force July 1, 1829, was read a third time.

Mr. Cavarly moved to amend said bill by adding the following as a proviso to the 1st section:

Provided, That the proceedings under and by virtue of this act, shall be entered upon the Journals of said court and copies thereof may be read in evidence in all the courts of law and equity in this State."

Mr. McMurtry moved to lay said bill and the proposed amendment on the table; which was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Edwards, Fithian, Forman, Harrison, Henry,

Johnson, Judd, Killpatrick, Leviston, McMillan, McMurtry, Morrison, Powers and Webb—16.

Those voting in the negative, are,

Messrs. Catlin, Cavarly, Constable, Crain, Dougherty, Dunlap, Harris, Markley, Matteson, Minard, Nunnally, Parker, Ruggles, J. Smith, Thompson, Vandeventer, Warren, Waters, Wilbanks, Worthington and Wynne—21.

Mr. Dougherty moved that the bill be laid on the table until the 4th of July next; and the question being taken thereon, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Beal, Buford, Catlin, Dougherty, Edwards, Fithian, Forman, Harrison, Henry, Johnson, Judd, Killpatrick, Leviston, McMurtry, Morrison, Parker, Powers, Ruggles, Thompson and Webb—20.

Those voting in the negative, are,

Messrs. Cavarly, Constable, Crain, Dunlap, Harris, Markley, Nunnally, J. Smith, Vandeventer, Warren and Wilbanks—11.

A message from the House of Representatives, by Mr. Arnold, a member of the House of Representatives.

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in the passage of a bill for "An act to establish the Cook county court," as amended by the House. In which amendment they ask the concurrence of the Senate.

The bill entitled "An act to vacate a part of the town of Greenfield, in Greene county," was read a third time and passed.

On motion of Mr. Cavarly,

The title was so amended as to make it read "An act to vacate parts of certain town plats therein named."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

The bills entitled "An act to establish a State road in the county of St. Clair, and for other purposes;" and

"An act to prevent trespassing, and for other purposes," were severally read a second time, and

On motion of Mr. Catlin,

Referred to a select committee.

Ordered, That Messrs. Catlin, Crain and Constable be that committee.

The bill entitled "An act in relation to the election of county officers," was read a second time, and

On motion of Mr. Crain,

Referred to the committee on Elections.

The bill entitled "An act authorising David Anderson to keep a ferry across the Kaskaskia river," as amended by the House of Representatives, being under consideration; and the question being taken on concurring with the House of Representatives in their amendment to said bill, it was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill entitled "An act to establish the Cook county court," being under consideration,

Mr. Constable moved a call of the Senate; which having proceeded some time, was

On motion of Mr. Constable,

Dispensed with.

And the question being taken on concurring with the House of Representatives in their amendments to said bill, it was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed bills of the following titles:

"An act to regulate the mode of levying executions;"

"An act to incorporate the Lake Michigan Hydraulic company;"

"An act to authorise the school commissioner of Montgomery county to settle a certain demand;" and

"An act to authorise the school commissioner of La Salle county to pay over certain money to townships 29 and 30 north, range one east of the 3d principal meridian."

In the passage of which several bills they ask the concurrence of the Senate.

Bills from the House of Representatives.

The bill for "An act concerning the Sangamon river," was read a third time, and

On motion of Mr. Edwards,

Referred to a select committee.

Ordered, That Messrs. Edwards, Powers and Killpatrick be that committee.

"An act to amend 'An act relative to wills and testaments, executors and administrators and the settlement of estates;'"

"An act to amend an act, entitled 'An act to protect the canal lands against trespasses,'" approved March 4th, 1837; and

"An act to amend an act, entitled 'An act to protect the canal lands against trespasses,'" approved February 26, 1839;

"An act for the relief of the securities of Lemon Plaster, late collector of Cass county," were severally read a third time and passed.

Bills for "An act for the permanent improvement of the navigation of the Bon Pas creek;"

"An act legalizing certain records in Stark county," were severally read, ordered to a second reading, and the rule having been, on motion, dispensed with, were read a second time by their titles, and

Ordered to a third reading.

On motion, the rule was further dispensed with, said bills read a third time by their titles and passed.

Ordered, That the titles of said bills be respectively as aforesaid, and that the Secretary inform the House of Representatives of the concurrence of the Senate.

Bills entitled "An act for the relief of Horatio T. Ellis;"

"An act authorising the securities of the late collector of Cass county to settle with the State;"

"An act making certain fords a part of public roads;"

"An act to extend the boundary lines of the county of Effingham;"

"An act to incorporate the Adelpia Theological Seminary;"

"An act to vacate the town plat of the town of Brooklyn;"

"An act to amend 'An act defining and regulating proceedings in action of ejectment,'" approved March 2, 1839;

"An act to amend 'An act, authorising Charles G. Eldridge to keep a ferry across the Mississippi river;'"

"An act to vacate the town plat of Kingston;"

"An act for the relief of Jesse Murphy, late a collector of Christian county;"

"An act to amend an act, entitled 'An act to apportion the representation of the several counties of this State,'" approved February 26, 1841;

"An act relative to criminal jurisprudence;"

"An act to legalize the sale of property therein named;"

"An act to extend the jurisdiction of justices of the peace and constables, in forcible entry and detainer and forcible detainer;" and

"An act to authorise the Secretary of State to subscribe for certain periodical works," were severally read, and

Ordered to a second reading.

The bill entitled "An act to incorporate Ewing Seminary, in the counties of White and Wayne," was read, and

Ordered to a second reading.

On motion of Mr. Constable,

The rule was dispensed with, said bill read a second time by its title, and

Referred to the committee on Incorporations.

The bill entitled "An act concerning certain counties therein named," was read, and

Ordered to a second reading.

On motion of Mr. Johnson,

The rule was dispensed with, said bill read a second time by its title, and

Referred to a select committee.

Ordered, That Messrs. Johnson, Catlin and Constable be that committee.

The bill entitled "An act to amend 'An act to authorise St. Clair county to establish a ferry across the Mississippi river,'" was read, and

Ordered to a second reading.

On motion of Mr. Catlin,

The rule was dispensed with, said bill read a second time by its title, and

Referred to the committee on the Judiciary.

The bill entitled "An act for the relinquishment by the State of Illinois to the city of Quincy of her right of the bed of the railroad, as laid out through said city," was read, and

Ordered to a second reading.

On motion of Mr. Vandeventer,

The rule was dispensed with, said bill read a second time by its title, and

Referred to a select committee.

Ordered, That Messrs. Vandeventer, J. Smith and Cavarly be that committee.

Bills entitled "An act to amend 'An act authorising counties to give a bounty on wolf scalps,'" approved February 15th, 1843;

"An act to regulate practice in the Supreme and circuit courts;"

"An act declaring certain additions to the town of Manchester, Scott county, vacated;" and

"An act concerning the records of the counties of Winnebago and Boone," were severally read, ordered to a second reading, and the rule having been dispensed with, on motion, were severally read a second time by their titles, and

Ordered to a third reading.

Bills entitled "An act to incorporate the town of Belleville, in St. Clair county;"

"An act to incorporate the Urbana Seminary Society;" and

"An act to incorporate the Chrystal Lake Academy, in McHenry county," were severally read, and ordered to a second reading, and the rule having been dispensed with, on motion, were severally read a second time by their titles, and

Referred to the committee on Incorporations.

On motion,

The Senate adjourned until 7 o'clock, P. M.

SEVEN O'CLOCK, P. M.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have adopted the following resolution:

Resolved, That the clerk inform the Senate that the House is now ready to receive them in the Hall of the House of Representatives for the purpose of electing one associate justice of the Supreme Court for the second judicial circuit of this State, one for the fifth and one for the ninth circuit; also, one Treasurer and an Auditor of Public Accounts for said State.

Whereupon,

The Senate preceded by their Speaker, proceeded to the Hall of the House of Representatives and the two Houses then proceeded to the election of three justices of the Supreme Court, by joint ballot, to fill the vacancies occasioned by the resignation of judges Douglass and Semple and by the death of Judge Robinson.

Mr. Dougherty, of the Senate, and Mr. Arnold, of the House of Representatives, were appointed tellers and the votes being counted, stood thus:

For James Shields 108.

For Jesse B. Thomas 109.

For John D. Caton 103.

Scattering and blank 16.

Whereupon,

The Speaker of the House of Representatives declared James Shields duly elected an associate justice of the Supreme Court, to fill the vacancy occasioned by the resignation of the Hon. James Semple, of the 2d judicial circuit; Jesse B. Thomas duly elected an associate justice of the Supreme Court, to fill the vacancy occasioned by the resignation of the Hon. Stephen A. Douglass, of the 5th circuit; and John D. Caton to be duly elected an associate justice of the Supreme Court, to fill the vacancy occasioned by the death of the Hon. John M. Robinson, of the 9th judicial circuit for the State of Illinois.

The two Houses then proceeded to the election of an Auditor of Public Accounts and Treasurer.

Mr. Deskines, of the House of Representatives, nominated William L. D. Ewing for the office of Auditor of Public Accounts and Milton Carpenter for Treasurer.

Whereupon,

On motion of Mr. Edwards of the Senate,

William L. D. Ewing was unanimously elected Auditor of Public Accounts, and Milton Carpenter unanimously elected Treasurer for the State of Illinois, and were severally so declared by the Speaker of the House of Representatives; and the Senate then returned to their chamber, and

On motion,

Adjourned.

TUESDAY, FEBRUARY 18, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Parish, a member of the House of Representatives.

A message from the Governor, by Thompson Campbell, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing.

Mr. Wynne from the committee on Enrolled Bills, reported as correctly enrolled the following bills, to wit:

"An act to provide for cancelling Auditor's warrants;"

"An act for the relief of John O'Brien, late collector of Tazewell county."

Also, three chapters of the Revised Statutes and other chapters, numbered 31, 33, 34, 91, 35, 43, 102, 95, 83, 59, 9, 10, 18, 17, 20, 21, 22, 24, 27, 26, 25, 30, 56, 75, 74, 93, 94 32, 85, 80 and 78; and that said bills and chapters have this day been laid before the Council of Revision.

Mr. Ruggles presented the petition of sundry citizens of Lee and Ogle counties, praying for a law to protect mill owners; which was read, and on his motion, referred to the committee on the Judiciary.

Mr. Warren presented two petitions of citizens of Rock Island county, in relation to a ferry; which were read, and on his motion, laid on the table.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of

Representatives have passed a bill entitled "An act to provide for the collection of revenue in Marquette county."

In the passage of which bill they ask the concurrence of the Senate.

Mr. Speaker announced two communications from the Governor on Executive business.

On motion of Mr. Warren,

The same were acted upon with open doors.

They were then read, and are as follows:

EXECUTIVE DEPARTMENT,
Springfield, Feb. 15, 1845. }

To the Senate:

I nominate Edward L. Mayo, to be Notary Public, in and for the county of De Kalb, in place of Jesse C. Kellogg, who refused to qualify.

THOMAS FORD.

EXECUTIVE DEPARTMENT,
Springfield, Feb. 16, 1845.

To the Senate:

I nominate Nathan Allen to be Notary Public, and Stephen J. Scott to be Public Administrator of Du Page county.

I also nominate Thomas L. Harris, to be Notary Public of Menard county.

THOMAS FORD.

On motion of Mr. McMurtry,

Said nominations were advised and consented to.

Mr. Vandeventer, from the committee on incorporations, to which was referred the bill entitled "An act to make the property of stockholders of incorporations individually liable for the debts of said incorporations," reported the same back with an amendment.

Mr. Killpatrick moved to amend the proposed amendment by prefixing before the word 'incorporations' the word 'private;' which was agreed to.

Mr. Ryan moved to amend the proposed amendment by striking out the words "created or" in the second line.

Mr. Constable moved to lay the bill and the proposed amendments on the table; which was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Constable, Edwards, Harrison, Henry, Judd, Killpatrick, McMurtry, Minard, Ruggles, Ryan, G. Smith, Vandeventer and Webb—15.

Those voting in the negative, are,

Messrs. Catlin, Crain, Dunlap, Fithian, Forman, Harris, Johnson, Leviston, Markley, Morrison, Nunnally, Parker, Powers, J. Smith, Thompson, Warren, Wilbanks and Wynne—18.

The question then being taken on the proposed amendment to the amendment, it was decided in the affirmative.

Mr. Forman moved to amend by striking out the words "to the extent of the amount of the value of the stock subscribed for or held by them."

Mr. Parker moved a call of the Senate; which having proceeded some time, was

On motion of Mr. Constable,
Dispensed with.

And the question then being taken on the proposed amendment to the amendment on striking out, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Buford, Catlin, Cavarly, Constable, Crain, Dougherty, Dunlap, Edwards, Fithian, Forman, Harris, Harrison, Judd, Leviston, Markley, McMillan, McMurtry, Minard, Morrison, Nunnally, Parker, Powers, Ruggles, Ryan, J. Smith, Thompson, Warren, Wilbanks, Worthington and Wynne—30.

Those voting in the negative, are,

Messrs. Boal, Henry, Johnson, Killpatrick, Matteson, G. Smith, Vandeventer and Webb—3.

Mr. Johnson moved that the amendment be further amended by adding thereto the following:

“Provided, That nothing in this act shall be so construed as to make any individual liable to a y greater amount than the amount of his or her stock respectively;” which was,

On motion of Mr. Parker,

Laid on the table.

Mr. Edwards moved that the amendment be further amended by adding thereto the following:

“Provided, That this act shall not apply to any corporation composed of individuals who may purchase of the State any public work belonging to the State, or in which the State is interested.”

Mr. M'Murtry moved the previous question: and the question being taken “Shall the main question be now put?” It was decided in the affirmative.

The question being taken on the adoption of the last proposed proviso, it was decided in the negative.

The question being taken on the adoption of the amendment reported by the committee as amended, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Buford, Cavarly, Constable, Crain, Dougherty, Dunlap, Forman, Harris, Henry, Johnson, Judd, Killpatrick, Leviston, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Nunnally, Parker, Powers, Ruggles, Ryan, J. Smith, G. Smith, Thompson, Vandeventer, Warren, Wilbanks, Worthington and Wynne—32.

Those voting in the negative, are,

Messrs. Boal, Catlin, Edwards, Fithian, Harrison and Webb—6.

The question then being taken on ordering said bill as amended to be engrossed for a third reading, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Buford, Catlin, Cavarly, Constable, Crain, Dougherty, Dunlap, Edwards, Fithian, Forman, Harris, Harrison, Johnson, Judd, Leviston, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Nunnally, Parker, Powers, Ryan, J. Smith, G. Smith, Thompson, Vandeventer, Warren, Wilbanks, Worthington and Wynne—33.

Those voting in the negative, are,
Messrs. Boal, Henry, Killpatrick, Ruggles and Webb—5.

Mr. Crain, from the committee on Elections, to which was referred the bill entitled "An act in relation to the election of county officers," reported the same back with an amendment.

Mr. Nunnally moved that the amendment be laid on the table.

And the question being taken on said motion, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Constable, Dougherty, Edwards, Fithian, Forman, Harris, Harrison, Henry, Judd, Killpatrick, Markley, McMillan, McMurtry, Minard, Morrison, Nunnally, Parker, Powers, Ruggles, Ryan, J. Smith, G. Smith, Vandeventer, Warren, Webb, Wilbanks, Worthington and Wynne—30.

Those voting in the negative, are,

Messrs. Cavarly, Crain, Dunlap, Johnson, Leviston and Thompson—6.

Mr. Wilbanks moved that the bill be laid on the table.

And the question being taken thereon, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Buford, Constable, Edwards, Harrison, Henry, Killpatrick, Leviston, McMurtry, Ryan, G. Smith, Vandeventer, Webb, Wilbanks and Wynne—14.

Those voting in the negative, are,

Messrs. Boal, Cavarly, Crain, Dougherty, Dunlap, Fithian, Forman, Harris, Johnson, Judd, Markley, McMillan, Minard, Morrison, Nunnally, Parker, Powers, Ruggles, J. Smith, Thompson, Warren and Worthington—22.

Mr. Cavarly moved that the bill be amended by striking out "seven" and inserting "six."

Mr. McMurtry moved the previous question:

And the question being taken: "Shall the main question be now put?" It was decided in the affirmative.

The question being then taken on the amendment proposed by Mr. Cavarly, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Cavarly, Constable, Crain, Dunlap, Harris, Markley, Matteson, McMillan, Minard, Morrison, Parker, Powers, J. Smith and Wilbanks—14.

Those voting in the negative, are,

Messrs. Boal, Buford, Dougherty, Edwards, Fithian, Forman, Harrison, Henry, Johnson, Judd, Killpatrick, Leviston, McMurtry, Nunnally, Ruggles, Ryan, G. Smith, Thompson, Vandeventer, Warren, Webb, Worthington and Wynne—23.

The question then being taken on ordering said bill to be engrossed for a third reading, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Carlin, Constable, Crain, Dougherty, Dunlap, Fithian, Forman, Harris, Johnson, Judd, Markley, Matteson, McMillan, Minard,

Nunnally, Parker, Powers, Ruggles, J. Smith, Thompson, Warren and Worthington—22.

Those voting in the negative, are,

Messrs. Boal, Buford, Cavarly, Edwards, Harrison, Henry, Killpatrick, Leviston, McMurtry, Morrison, Ryan, G. Smith, Vandeventer, Webb, Wilbanks and Wynne—16.

Mr. Johnson, from the committee on incorporations, to which was referred a bill from the House of Representatives entitled "An act to incorporate the Chrystal Lake Academy, in McHenry county," reported the same back without amendment, and said bill was

Ordered to a third reading.

Mr. Johnson, from the same committee, to which was referred the bill from the House of Representatives entitled "An act to incorporate Ewing Seminary in the counties of White and Wayne," reported the same back without amendment, and said bill was

Ordered to a third reading.

On motion of Mr. Constable,

The rule was dispensed with, said bill read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Killpatrick, from the committee on School Lands and Education, to which was referred the petition of sundry citizens of township seven north, range twelve west, in Jersey county, reported a bill entitled "An act authorizing the trustees of schools in township seven north, twelve west, in Jersey county, to re-value school lands and for other purposes;" which was read, and

Ordered to a second reading.

And the rule having been dispensed with,

On motion of Mr. Cavarly,

Read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Vandeventer, from the committee on Incorporations, to which was referred a bill from the House of Representatives entitled "An act to incorporate the Urbana Seminary Society," reported the same back without amendment.

Ordered that the bill be read a third time.

On motion of Mr. Fithian,

The rule was dispensed with, the bill read a third time by its title and passed.

Mr. Edwards, from the select committee, to which was referred a bill from the House of Representatives entitled "An act concerning the Sangamon river," read a third time on yesterday, reported the same back without amendment.

The question then being put: "Shall the bill pass?" It was decided in the affirmative.

Mr. Johnson, from the select committee, to which was referred a bill from the House of Representatives entitled "An act concerning certain counties therein named," reported the same back with an amendment which was concurred in, and the bill as amended

Ordered to a third reading.

On motion of Mr. Johnson,

The rule was dispensed with, said bill read a third time by its title and passed.

Ordered, That the titles of said bills be as aforesaid, and that the Secretary inform the House of Representatives of their passage, and ask their concurrence in said amendment.

Mr. Leviston, from the committee on Salines and Saline Lands, to which was referred a bill entitled "An act directing the collection of all debts due the State on account of the Gallatin Salines," reported the same back with an amendment, which was concurred in, and the bill as amended,

Ordered to be engrossed for a third reading.

Mr. Worthington, from the committee on Internal Navigation, to which was referred the petition of sundry citizens of Mason county, reported a bill entitled "An act declaring the 'cut-off' at the town of Mantanzas, in Mason county navigable;" which bill was read, and

Ordered to a second reading.

And the rule having been on motion dispensed with, read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Ryan, from the select committee, to which was referred a bill entitled "An act for certain purposes therein named," reported the same back with an amendment, which was concurred in, and the bill as amended,

Ordered to be engrossed for a third reading.

Mr. Nunnally offered for adoption the following resolution; which lies one day on the table:

Resolved by the Senate, That the committee on the Penitentiary be requested to inquire into the propriety of abolishing the practice of confining white females in the penitentiary for any crime short of murder, and that they report by bill or otherwise.

Mr. Warren offered for adoption the following resolution; which lies one day on the table.

Resolved by the Senate, the House of Representatives concurring herein, That the Secretary of State when distributing the Laws and Journals of this session in the different counties in this State, is hereby required to cause a copy of each to be left for each member of this General Assembly at the county seat in which said member may reside, with the name of said member marked thereon.

Mr. Warren offered for adoption the following preamble and resolutions; which lie one day on the table.

Whereas: It appears from the Governor's report as well as by previous reports of our Fund Commissioners, that a debt due from J. Delafield of New York, to the amount of \$158,893 84 was considered doubtful, even desperate to be recovered at law and not regarded as of any value; and whereas, it appears also by the report of the committee having charge of this claim, "that but for the arrangement and agency through John Tillson, Jr., nothing could have been realized from the claim against said Delafield." Also, that it is not in the power of Mr. Tillson to secure the State any further than he has already done in relation to this transaction, and as named in the report of the committee, and by which he made

himself liable to the State as therein named; and whereas, such being the facts in the case, the State is disposed to compound and settle Mr. Tillson's indebtedness to the State upon terms just and equitable, by placing the terms and conditions of such settlement within the probable reach of Mr. Tillson: Therefore,

Be it Resolved by the Senate, the House of Representatives concurring herein, That the Governor be and is hereby authorized and required to receive from John Tillson, jr. his obligations to pay \$100,000 in five equal yearly instalments, of \$20,000 each, in State indebtedness, retaining a mortgage on the Quincy House and its appurtenances, as also, a yearly policy of insurance of \$15,000, to be furnished by Mr. Tillson on the house and furniture, as security for Mr. Tillson's indebtedness to the State in full; all of which securities are to be given up to the said Tillson, or to his order, when his last obligation as above is satisfied. But should the said Tillson fail to pay any one of his obligations as they respectively fall due, or within thirty days thereafter the whole amount agreed to be paid by the said Tillson, by virtue of the agreement shall be considered as due, and he shall give immediate possession of the property to the Governor for the use of the State.

Resolved, That the Governor in compounding and settling the debt of Mr. Tillson to the State, receive from Mr. Tillson as well as deliver to him, not only all such papers and instruments of writing necessary to such final settlement, but as shall bind the respective parties to a strict compliance with this arrangement; provided, that the Governor before entering into this agreement shall upon investigation become satisfied that the Quincy house, at the time the arrangement was made with J. Delafield and the fund commissioners was incumbered by mortgage to an amount equal to all that Mr. Tillson realized in the transaction, and which incumbrance had to be taken up, in order that the property mortgaged to the State might be free, and clear from every embarrassment.

On motion of Mr. J. Smith,

The order of business was suspended, and the bill from the House of Representatives entitled "An act to provide for the collection of revenue in Marquette county," was taken up, read, and

Ordered to a second reading.

On his further motion, the rule was dispensed with, said bill read a second time by its title, and referred to the committee on Finance.

The orders of the day were taken up:

Chapter 93 of "Revised Statutes" was read a third time and passed.

Bills entitled "An act to ascertain the amount of the State debt, preparatory to a provision to pay the same by taxation;" and

"An act to authorize William Forester and Abraham Howard to build a mill-dam across the Kaskaskia river," were severally read a third time and passed.

Ordered, That the titles be as aforesaid, and that the Secretary ask the concurrence of the House of Representatives in the passage of said bills and chapter.

Bills from the House of Representatives of the following titles:

"An act concerning the records of the counties of Winnebago and Boone;"

"An act to amend 'An act authorizing counties to give a bounty on wolf scalps,'" approved February 15, 1843;

"An act to regulate practice in the Supreme and circuit courts;" and

"An act declaring certain additions to the town of Manchester, Scott county, vacated," were severally read a third time and passed.

Ordered, That their titles be respectively as aforesaid, and that the Secretary inform the House of Representatives of the concurrence of the Senate.

The bill from the House of Representatives entitled "An act for the further restriction of imprisonment for debt," being under consideration as amended by the Senate,

Mr. Constable moved to amend said bill in the 19th line by striking out the words "the first;" which was agreed to, and said bill as amended read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendments to said bill.

On motion,

The Senate adjourned until two o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Bills from the House of Representatives on their second reading.

The bill entitled "An act to authorize the Secretary of State to subscribe for certain periodical works," was read a second time, and

On motion of Mr. Warren,

Referred to the committee on the Judiciary.

The bill entitled "An act for the relief of Horatio T. Ellis," was read a second time, and

Ordered to a third reading.

On motion of Mr. Harris,

The rule was dispensed with, said bill read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill entitled "An act authorizing the securities of the late collector of Cass county to settle with the State," was read a second time, and

On motion of Mr. Killpatrick,

Referred to the committee on Finance.

The bill entitled "An act making certain fords a part of public roads," was read a second time, and

Ordered to a third reading.

On motion of Mr. Caviary,

The rule was dispensed with, said bill read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill entitled "An act to extend the boundary lines of the county of Effingham," was read a second time, and

Ordered to a third reading.

On motion of Mr. Forman,

The rule was dispensed with, said bill read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill entitled "An act to incorporate the Adelpia Theological Seminary," was read a second time, and

On motion of Mr. Harris,

Referred to the committee on Incorporations.

The bills entitled "An act to legalize the sale of property therein named;"

"An act to amend an act defining and regulating proceedings in action of ejectment," approved March 2, 1839; and

"An act to extend the jurisdiction of justices of the peace and constables in forcible entry and detainer and forcible detainer," were severally read a second time, and

On motion of Mr. McMurtry,

Referred to the committee on the Judiciary.

Bills entitled "An act relative to criminal jurisprudence;"

"An act to amend an act entitled 'An act to apportion the representation of the several counties of this State,' " approved February 26th, 1841;

"An act for the relief of Jesse Murphy, late a collector of Christian county;"

"An act to vacate the town-plat of Kingston;"

"An act to amend 'An act authorizing Charles G. Eldridge to keep a ferry across the Mississippi river;" and

"An act to vacate the town-plat of the town of Brooklyn," were severally read a second time, and

Ordered to a third reading.

On motion, the rule was dispensed with, said bills respectively read a third time by their titles and passed.

Ordered, That their titles be respectively as aforesaid, and that the Secretary inform the House of Representatives of the concurrence of the Senate.

Bills from the House of Representatives on their first reading.

The bill entitled "An act extending the limits of Cass county," was read, and

Ordered to a second reading.

Mr. Killpatrick moved to dispense with the rule, and that said bill be now read a second time; which was not agreed to.

The bill entitled "An act to enable Joseph Adkins to establish a ferry across the Sangamon river," was read, and

Ordered to a second reading.

On motion of Mr. Wynne,

The rule was dispensed with, said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Wynne, Killpatrick and Vandeventer be that committee.

Chapters 15, 22, 31, 58, 68, 69, 77, 78, 96, 104 and 107 of the Revised Statutes were severally read, and

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Ordered to a second reading.

On motion of Mr. Constable,

The rule was dispensed with, said chapters severally read a second time by their titles, and

Ordered to a third reading.

On motion of Mr. Cavarly,

The rule was further dispensed with, said chapters severally read a third time by their titles and passed.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill entitled "An act incorporating the Rockford Cemetery Association," was read, and

Ordered to a second reading.

On motion of Mr. Ruggles,

The rule was dispensed with, said bill read a second time by its title, and referred to the committee on Incorporations.

The bill entitled "An act to amend an act entitled 'An act to incorporate the Rock Island University,' " approved January 18th, 1840, was read, and

Ordered to a second reading.

On motion of Mr. Buford,

Said bill was laid on the table.

The bill entitled "An act to authorize the person therein named to construct a mill-dam," was read, and

Ordered to a second reading.

On motion of Mr. Markley,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

Mr. Wynne, from the committee on Enrolled Bills, reported as correctly enrolled, "An act to establish Cook county court;"

Also, that said bill has this day been laid before the Council of Revision.

The bill, entitled "An act to improve the navigation of the Embarrass river, and for other purposes;" was read, and

Ordered to a second reading.

On motion of Mr. Parker,

The rule was dispensed with, said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Parker, Fithian and Nunnally be that committee.

The bills entitled "An act to authorize John Foster and others to construct a mill dam on the Mississippi river;" and

"An act to authorize Joseph Cox and others to construct a mill-dam on the Mississippi river," were severally read, and

Ordered to a second reading.

On motion of Mr. Buford,

The rule was dispensed with, said bills severally read a second time by their titles, and referred to the committee on Internal Navigation.

The bill entitled "An act to remove certain mill-dams therein named," was read, and

Ordered to a second reading.

On motion of Mr. Forman,

The rule was dispensed with, said bill read a second time by its title, and

On motion of Mr. Webb,

Referred to the committee on Internal Navigation.

The bill entitled "An act for the relief of Samuel Cunningham and James Atkinson," was read, and

Ordered to a second reading.

On motion of Mr. Ruggles,

The rule was dispensed with, said bill read a second time by its title, and referred to the committee on Internal Improvements.

The bill entitled "An act for the relief of Lovell Kimball," was read, and

Ordered to a second reading.

On motion of Mr. Judd,

The rule was dispensed with, said bill read a second time by its title, and referred to the committee on Canals and Canal Lands.

The bill entitled "An act concerning practice in the Supreme court," was read, and

On motion of Mr. Edwards,

Laid on the table.

The bill entitled "An act authorizing the Canal Commissioner to pay certain moneys to Jeremiah Crotty," was read, and

Ordered to a second reading.

On motion of Mr. Ruggles,

The rule was dispensed with, said bill read a second time by its title, and referred to the committee on the Judiciary.

The bill entitled "An act vacating a certain street in Petersburg, in Menard county," was read, and

Ordered to a second reading.

On motion of Mr. Wynne,

The rule was dispensed with, said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Wynne, Warren and Wilbanks be that committee.

The bill entitled "An act to protect owners of wood-yards against the illegal acts of steam-boat masters and officers," was read, and

Ordered to a second reading.

On motion of Mr. Webb,

The rule was dispensed with, said bill read a second time by its title, and referred to the committee on the Judiciary.

Bills entitled "An act to legalize the acts of certain officers in Pulaski county;"

"An act extending the time for completing the assessment of taxable property in Schuyler county;"

"An act authorizing an additional justice of the peace and constable in Lima precinct, in Adams county;"

"An act for the improvement of the navigation of Rock river;"

"An act to vacate a certain town-plat therein named;"

"An act for the protection of, and summary mode of recovery for trespass committed upon the commons of Prairie du Rocher;"

"An act to authorize Lucius Wells to keep a ferry across the Mississippi river;"

"An act to amend an act entitled 'An act to incorporate the Alton Marine and Fire Insurance company,' " approved February 7th, 1835, and of the various supplements thereto;

"An act to authorize the county commissioners' court of Peoria county to levy a special tax for the purpose of building a jail;" and

"An act for the relief of the heirs of Thomas W. Tanner, deceased," were severally read, and

Ordered to a second reading.

On motion, the rule was dispensed with, said bills read a second time by their titles, and

Ordered to a third reading.

On motion, the rule was further dispensed with, said bills severally read a third time by their titles and passed.

Ordered, That the titles of said bills be as aforesaid, and that the Secretary inform the House of Representatives of the concurrence of the Senate in their passage.

Mr. Parker, from the committee on Enrolled Bills, reported as correctly enrolled, "An act authorizing David Anderson to keep a ferry across the Kaskaskia river;"

Also, that said bill has this day been laid before the Council of Revision.

The bill entitled "An act to build a free bridge across Shoal creek, in Clinton county," was read, and

Ordered to a second reading.

On motion of Mr. Crain,

The rule was dispensed with, said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Crain, Forman and Catlin be that committee.

The bill entitled "An act to authorize the collection of taxes of Jackson county for the year 1842," was read, and

Ordered to a second reading.

On motion of Mr. Parker,

The rule was dispensed with, said bill read a second time by its title, and referred to the committee on Finance.

On motion,

The Senate adjourned.

WEDNESDAY, FEBRUARY 19, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Richmond.

A message from the Governor, by Thompson Campbell, Esq., Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication.

Mr. Wynne presented the petition of John Wilson and others, citizens of Cass county, praying to be annexed to Menard county; which was on his motion, referred to the committee on Counties.

Mr. Buford presented the petition of citizens of the town of Rock Island, praying the survey and re-location of a part of Mississippi street,

in said town; which was on his motion, referred to the committee on incorporations.

Mr. Speaker announced a communication from the Governor, and that the same was upon executive business.

On motion of Mr. Cavarly,

The same was acted upon with open doors, and read as follows:

EXECUTIVE DEPARTMENT, }
Springfield, February 19, 1845. }

To the Senate:

In pursuance of the annexed petition of more than fifty voters, I nominate Henry C. Randall to be Notary Public, in and for the town of Rock Island, in the county of Rock Island.

THOMAS FORD.

On motion of Mr. McMurtry,

The Senate advised and consented to said nomination.

Mr. Cavarly, from the committee on the Judiciary, to which was referred the bill entitled "An act to establish the times of holding circuit courts, in the first judicial circuit," reported the same back with an amendment; which with the bill, were on his motion, laid on the table.

Mr. McMurtry, from the committee on Counties, to which was referred sundry petitions and remonstrances, for and against the removal of the county seat of De Witt county, reported them back and the committee were discharged from their consideration, and the same

On motion of Mr. Markley,

Were laid on the table.

Mr. Cavarly, from the committee on the Judiciary, to which was referred the bill from the House of Representatives entitled "An act to legalize the sale of property therein named," reported the same back without amendment.

Ordered, That the bill be read a third time.

On motion of Mr. Cavarly,

The rule was dispensed with, said bill read a third time by its title and passed.

On motion of Mr. Cavarly,

The title of said bill was amended by striking out the words 'therein named,' and adding in lieu of them, the words 'made by Joseph Smith.'

Ordered, That the title be as amended, and that the Secretary ask the concurrence of the House of Representatives in said amendment.

Mr. Cavarly, from the committee on the Judiciary, to which was referred the bill from the House of Representatives entitled "An act to authorise the Secretary of State to subscribe for certain periodical works," reported the same back without amendment.

Mr. Ryan moved to amend by inserting after the word "Review," the words "and Hunt's Merchant's Magazine."

Mr. Nunnally moved to lay the bill and proposed amendment on the table until the 4th day of July next.

Mr. Cavarly called for a division of the question;

And the question being first taken on laying on the table until the

4th of July next the proposed amendment, it was decided in the affirmative.

The question then being taken on laying said bill on the table until the 4th day of July next, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Catlin, Crain, Harris, Markley, Minard, Morrison, Nunnally, Parker, G. Smith, Vandeventer, Warren and Wilbanks—12.

Those voting in the negative, are,

Messrs. Buford, Cavarly, Constable, Davis, Dunlap, Edwards, Fithian, Forman, Henry, Johnson, Judd, Killpatrick, Leviston, Matteson, McMillan, McMurtry, Powers, Ruggles, Ryan, J. Smith, Thompson, Webb, Worthington and Wynne—24.

Said bill was ordered to a third reading.

On motion of Mr. Cavarly,

The rule was dispensed with, said bill read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Matteson, from the committee on Finance, to which was referred a bill entitled "An act concerning the territorial and other records of Illinois," reported the same back without amendment.

Mr. Edwards moved the previous question;

And on the question, "Shall the main question be now put?" It was decided in the affirmative.

And the question then being taken on ordering said bill to be engrossed for a third reading, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Cavarly, Dougherty, Edwards, Fithian, Harrison, Henry, Killpatrick, Matteson, McMillan, McMurtry, Minard, Morrison, Powers, Ruggles, Ryan, J. Smith, G. Smith, Thompson, Warren, Webb, Worthington and Wynne—24.

Those voting in the negative, are,

Messrs. Catlin, Constable, Crain, Davis, Dunlap, Forman, Harris, Johnson, Leviston, Markley, Nunnally, Parker and Vandeventer—13.

A message from the House of Representatives:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in the passage of bills of the following titles:

"An act to change the name of a society in Bond county;"

"An act to amend an act, entitled 'An act to incorporate the Rock river seminary, in Ogle county, Illinois;'"

"An act to grant a ferry across the Ohio river at Cairo to Bryan Shawneeseey and Patrick Smith;"

"An act authorising the sale of school lands in township numbered 18 north, of range eleven east, in Champaign county;"

"An act concerning the public treasury;"

"An act to re-locate a State road therein named;" and

"An act to legalize the location of the county seat of Woodford county, and to change the name of the county seat thereof."

The House have also concurred with the Senate in the passage of chapters 57, 61, 62, 64, 84, 87 and 93 of the Revised Statutes.

The House have concurred with the Senate in the passage of a bill for "An act authorising the county commissioners of Jo Daviess county to appoint an assessor and collector," as amended by the House.

In which amendment they ask the concurrence of the Senate.

The House have concurred with the Senate in their amendments to a bill for "An act for the removal of the seat of justice of Randolph county," as amended by the House.

In which amendment they ask the concurrence of the Senate.

The House have concurred with the Senate in their amendment to a bill for "An act limiting the power of taxation in the city of Chicago."

The House have concurred with the Senate in their amendment to the resolution relative to the defalcation of M. H. Wash.

The House have laid on the table, until the fourth of July, a Senate resolution relative to the adjournment, *sine die*, on the 17th of February inst.

The House have laid on the table a bill for "An act making partial appropriations," together with the amendment of the Senate thereto.

Mr. Matteson, from the committee on Finance, to which was referred the bill entitled "An act to repeal all laws requiring the Governor to reside at the seat of government," reported the same back without amendment, and recommended the rejection of said bill.

Mr. Wynne moved to lay said bill on the table until the 4th day of July next; which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Cavarly, Constable, Davis, Dougherty, Dunlap, Edwards, Fithian, Harris, Henry, Killpatrick, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Powers, Ruggles, J. Smith, G. Smith, Warren, Webb, Worthington and Wynne—26.

Those voting in the negative, are,

Messrs. Catlin, Crain, Forman, Harrison, Johnson, Leviston, Nunnally, Parker, Thompson and Vandeventer—10.

Mr. Matteson, from the same committee, to which was referred a bill from the House of Representatives entitled "An act to authorise the collection of the taxes of Jackson county, for the year 1842," reported the same back without amendment.

Ordered, That the bill be read a third time.

On motion of Mr. Matteson,

The rule was dispensed with, said bill read a third time by its title and passed.

Mr. Cavarly, from the committee on the Judiciary, to which was referred a bill from the House of Representatives entitled "An act to authorise the canal commissioner to pay certain moneys to Jeremiah Crotty," reported the same back without amendment.

Ordered, That the bill be read a third time.

On motion of Mr. Cavarly,

The rule was dispensed with, said bill read a third time by its title and passed.

Mr. Cavarly also, from the same committee, to which was referred a

bill from the House of Representatives entitled "An act to protect owners of wood yards against the illegal acts of steamboat masters and officers," reported the same back with an amendment, which was concurred in; and the bill as amended,

Ordered to a third reading.

On motion of Mr. Webb,

The rule was dispensed with, said bill read a third time by its title and passed.

Ordered, That the titles of said bills be as aforesaid, and that the Secretary inform the House of Representatives of their passage, and ask their concurrence in the amendment of the Senate.

A message from the Council of Revision, by Mr. Hawley, their Secretary:

Mr. Speaker: I am directed to inform the Senate that the Council of Revision has approved bills of the following titles:

"An act to provide for cancelling Auditor's Warrants;"

"An act for the relief of John O'Brien, late collector of Tazewell county;"

"An act authorising David Anderson to keep a ferry across the Kaskaskia river."

Mr. Harrison, from the committee on Internal Navigation, to which was referred the bill entitled "An act to remove the seat of government from Springfield to the city of Peoria," reported the same back with an amendment, which was concurred in; and said bill as amended,

Ordered to be engrossed as amended, for a third reading.

Mr. Cavarly, from the committee on the Judiciary, to which was referred a bill from the House of Representatives entitled "An act to amend 'An act to authorise St. Clair county to establish a ferry across the Mississippi river,'" reported the same back without amendment, and recommended the rejection of said bill.

Mr. Cavarly moved to lay said bill on the table until the 4th day of July next.

Mr. Catlin moved the previous question;

And on the question, "Shall the main question be now put?" It was decided in the affirmative.

And the question being taken on laying said bill on the table until the 4th day of July next, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Buford, Cavarly, Constable, Edwards, Fithian, Forman, Harrison, Henry, Judd, Killpatrick, Matteson, McMillan, Ryan, G. Smith, Webb and Worthington—16.

Those voting in the negative, are,

Messrs. Catlin, Crain, Dunlap, Harris, Johnson, Leviston, Markley, Nunnally, Parker, J. Smith, Thompson, Vandevanter, Warren, Wilbanks and Wynne—15.

Mr. Ryan, from the committee on Canal and Canal Lands, to which was referred a bill from the House of Representatives entitled "An act for the relief of Lovel Kimball," reported the same back without amendment.

Mr. Parker moved to amend said bill by striking out the words 'canal scrip,' which was not agreed to; and said bill was

Ordered to a third reading.

Mr. Vandeventer, from the committee on Incorporations, to which was referred a petition and a remonstrance of sundry citizens of the city of Alton, in Madison county, for and against the repeal of the charter of said city, reported the same back and the committee were discharged from their further consideration.

On motion of Mr. G. Smith,

Said petition and remonstrances were laid on the table.

Mr. Vandeventer, from the same committee, to which was referred a bill from the House of Representatives entitled "An act incorporating the Rockford Cemetery Association," reported the same back without amendment.

Ordered, That the bill be read a third time.

Mr. Vandeventer also, from the same committee, to which was referred a like bill entitled "An act to incorporate the Adelphia Theological Seminary, reported the same back without amendment.

Ordered, That the bill be read a third time.

On motion of Mr. Vandeventer,

The rule was dispensed with, said bill read a third time by its title and passed.

Mr. Parker, from the select committee, to which was referred a like bill entitled "An act to improve the navigation of the Embarrass river, and for other purposes," reported the same back without amendment.

Ordered, That the bill be read a third time.

On motion of Mr. Parker,

The rule was dispensed with, said bill read a third time by its title and passed.

Mr. Crain, from the select committee, to which was referred a like bill entitled "An act to build a free bridge across Shoal creek, in Clinton county," reported the same back without amendment.

Ordered, That the bill be read a third time.

On motion of Mr. Forman,

The rule was dispensed with, said bill read a third time by its title and passed.

Ordered, That the titles of said bills, passed as aforesaid, be as aforesaid, and that the Secretary inform the House of Representatives of the concurrence of the Senate in their passage.

Mr. Forman, from the committee on the Judiciary, to which was referred the bill from the House of Representatives entitled "An act to amend 'An act defining and regulating proceedings in action of ejectment,' approved March 2d, 1839, reported the same back without amendment, and recommended the rejection of said bill.

On motion of Mr. Vandeventer,

Said bill was laid on the table.

Mr. Vandeventer, from the select committee, to which was referred the bill from the House of Representatives entitled "An act for the relinquishment by the State of Illinois to the city of Quincy of her right to the bed of the railroad as laid out through said city," reported the same back with an amendment, which was concurred in; and said bill as amended,

Ordered to a third reading.

Mr. G. Smith, from the select committee, to which was referred the bill entitled "An act to secure the rights of the people," reported the same back with an amendment, which was concurred in; and said bill as amended,

Ordered to be engrossed for a third reading.

Mr. Dougherty, from the joint select committee of the two Houses, appointed to investigate the affairs of the bank of Illinois, made a report, thereon, which was read.

The committee also reported a bill entitled "An act supplemental to 'An act to reduce the public debt one million of dollars, and to put the bank of Illinois into liquidation;'" which was read, and

Ordered to a second reading.

On motion of Mr. Killpatrick,

The rule was dispensed with, said bill read a second time by its title, and

On motion of Mr. Markley,

Referred to the committee on Finance.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The orders of the day were taken up.

Senate bills on their third reading:

The bills entitled "An act to make the property of stockholders of incorporations individually liable for the debts of said corporations;"

"An act directing the collection of debts due the State on account of the Gallatin Salines;"

"An act declaring the cut off at the town of Matanzas, in Mason county navigable;"

"An act authorising the trustees of schools in township 7 north, range 12 west, in Jersey county, to re-value school lands and for other purposes;" and

"An act to incorporate the Sangamon and Morgan railroad company," also chapter 59 of the Revised Statutes, were severally read a third time and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bills.

Mr. Wynne, from the committee on Enrolled Bills, reported as correctly enrolled chapters 87, 64, 62, 84, 57, 61 and 93 of the Revised Statutes.

Also that said chapters have this day been laid before the Council of Revision.

The bill entitled "An act in relation to the election of county officers," was read a third time.

Mr. McMurtry moved that the bill be laid on the table until the 4th of July next; and the question being taken thereon, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Edwards, Fithian, Harrison, Johnson, Killpatrick, McMillan, McMurtry, Minard, Ruggles, Ryan, G. Smith and Vandeventer—12.

Those voting in the negative, are,

Messrs. Buford, Catlin, Cavarly, Constable, Crain, Davis, Dunlap, Forman, Harris, Henry, Leviston, Markley, Matteson, Morrison, Nunnally, Parker, Powers, J. Smith, Thompson, Warren and Wynne—21.

The question being put: "Shall the bill pass?" It was decided in the affirmative.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

The bill entitled "An act for certain purposes therein named," was read a third time and passed.

Mr. Judd moved to amend the title so as to make it read "An act to amend an act, entitled 'An act providing for the binding the Laws and Journals,' " approved Jan. 31, 1840; which was agreed to.

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

The bill contained in the message from the House of Representatives, as amended by them entitled "An act authorising the county commissioners of Jo Daviess county, to appoint an assessor and collector," was taken up, the amendment of the House of Representatives read and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed a bill for "An act to amend an act, entitled 'An act authorising the erection of a bridge over Rock river, at Rockford,' " approved February 27th, 1843.

In the passage of which I am directed to ask the concurrence of the Senate.

Bills from the House of Representatives on their third reading.

The bills entitled "An act to incorporate the Chrystal Lake Academy, in McHenry county;" and

"An act to authorise the person therein named to construct a mill dam," were severally read a third time and passed.

Ordered, That the titles be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill entitled "An act extending the limits of Cass county," was read a second time.

Mr. Henry moved to amend said bill as follows:

Strike out sections 2 and 3, and amend the first section by striking out the same and inserting the following in lieu thereof:

"That all that tract or part of the county of Morgan lying and being within the following boundaries, to wit: commencing at a point in the centre of the main channel of the Illinois river, where the line running through the centre of township seventeen north, intersects the same in range 13 west of the principal meridian, thence down the centre of the

main channel of said river, to a point where the line dividing townships sixteen and seventeen north, intersects the same, thence east with said township line to the dividing sectional line between townships ten and eleven, thence north three miles, thence west on a line running through the centre of township seventeen to the place of beginning."

Mr. Henry moved to refer said bill to a select committee of five; which was decided by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Cavarly, Constable, Dougherty, Edwards, Fithian, Harrison, Henry, Johnson, Matteso, Powers, Ruggles, G. Smith, Webb and Worthington—16.

Those voting in the negative, are,

Messrs. Catlin, Dunlap, Forman, Killpatrick, Leviston, Markley, McMillan, Minard, Morrison, Nunnally, J. Smith, Thompson Vandeventer, Warren, Wilbanks and Wynne—16.

And there being a tie, Mr. Speaker voted in the negative; so the motion to refer to a select committee was lost.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have received the announcement of the death of the Hon. William Blair, a Representative from the county of Pike. The House have adopted resolutions expressive of their regard for the deceased, and of their sympathy for his bereaved family; and have appointed Messrs. Metz, Lott, Stewart, Huffman, Parrish, Aldrich, Benedict, Nye, Whiteside, Zieber, Cochran and Boyakin, a committee on the part of the House of Representatives to make arrangements for the funeral of the deceased.

On motion of Mr. Worthington,

The order of business was suspended, when he, after an affecting and appropriate tribute to the manly virtues of said deceased, offered the following resolutions, which were unanimously adopted:

Resolved, That the Senate have learned, with deep regret, that Hon. William Blair, late a member of the House of Representatives, of this State, from the county of Pike, whose qualities as a man, and abilities as a representative, the Senate held in high estimation, has departed this life.

Resolved, That as a mark of respect to the memory of the deceased, the members of the Senate will wear the usual badge of mourning for thirty days.

Resolved, That a committee of six be appointed on the part of the Senate, to act in conjunction with the committee appointed on the part of the House of Representatives, touching the order of the funeral of the deceased.

Resolved, That a copy of these resolutions be transmitted to the widow and family of the deceased.

Resolved, That as a further mark of respect for the deceased, the Senate do now adjourn.

Ordered, That Messrs. Worthington, Constable, Forman, Cavarly, Webb and McMurtry be said committee on the part of the Senate.

THURSDAY, FEBRUARY 20, 1845.

Senate met pursuant to adjournment.

Mr. Forman stated that the committees of the two Houses of the General Assembly, appointed to make arrangements for the funeral of Hon. William Blair, deceased, had fixed upon half past nine o'clock, A. M., of to-day, in the Hall of the House of Representatives, as the time and place for the solemnities of said funeral; when,

On motion of Mr. Forman,

The Senate adjourned until two o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Vandeventer, from the committee on Incorporations, to which was referred a bill entitled "An act to incorporate the Chicago and Juliet Turnpike Company," reported the same back with amendments which were concurred in, and the bill as amended,

Ordered to be engrossed for a third reading.

Mr. Vandeventer, from the same committee, to which was referred a bill from the House of Representatives entitled "An act to incorporate the town of Belleville, in St. Clair county," reported the same back with an amendment; which was concurred in, and said bill as amended,

Ordered to a third reading.

On motion of Mr. G. Smith,

The vote taken upon laying on the table until the 4th of July, the bill from the House of Representatives entitled "An act to amend 'An act to authorize St. Clair county to establish a ferry across the Mississippi river,' " was re-considered.

On motion of Mr. Edwards,

The vote by which the previous question was ordered, in relation to said bill was re-considered.

Mr. Edwards withdrew his motion for the previous question, and

Mr. Cavarly the motion to lay said bill on the table until the 4th of July next.

On motion of Mr. Catlin,

Said bill was referred to a select committee of seven.

Ordered, That Messrs. Catlin, Constable, Cavarly, G. Smith, Judd, McMurtry and Morrison be that committee.

Mr. Wynne, from the select committee, to which was referred the bill from the House of Representatives entitled "An act vacating a certain street in Petersburg, in Menard county," reported the same back without amendment; said bill was

Ordered to a third reading.

On motion of Mr. Wynne,

The rule was dispensed with, said bill read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Leviston, from the select committee, to which was referred a bill entitled "An act for the relief of the persons therein named," reported the

same back with an amendment; which was concurred in, and said bill as amended,

Ordered to be engrossed for a third reading.

The orders of the day were taken up.

And the question recurring on the question pending at the time of adjournment on yesterday, which was upon the adoption of the amendment proposed by Mr. Henry, to the bill from the House of Representatives entitled "An act extending the limits of Cass county."

The same was put and decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Constable, Davis, Edwards, Fithian, Harrison, Henry, Johnson, Judd, Markley, Matteson, Ruggles, G. Smith and Webb—15.

Those voting in the negative, are,

Messrs. Allen, Catlin, Cavarly, Crain, Dunlap, Forman, Killpatrick, Leviston, McMillan, McMurtry, Minard, Morrison, Nunnally, Parker, Powers, J. Smith, Thompson, Vandeventer, Warren, Wilbanks and Wynne—21.

Mr. Henry moved further to amend the bill by adding the following:

"*Provided*, That the proposed territory shall be added to the county of Cass, on the condition following to wit: the legal voters of Cass and Morgan counties, shall vote at the election to be holden in August next, at the respective precincts in the said counties, under the same rules and regulations prescribed for the election of Representatives to the General Assembly, for and against adding the proposed territory to Cass county. And returns of said elections shall be made to the clerks of the county commissioners' courts in the said counties of Cass and Morgan in the same manner as now required to be made in elections for Representatives to the General Assembly; within thirty days after said returns are made to the clerk of the circuit court of Cass county, he shall forward a certificate under his seal of office, containing a full statement of the vote for and against adding the aforesaid territory to Cass county. And if a majority of the legal voters of both counties shall be given in favor of the addition of said territory to Cass county, then the clerk of the county commissioners' court of Morgan county shall make out a certificate showing the whole vote in both counties for and against the addition aforesaid to Cass county under his seal of office; which he shall file in his office, and forward a certified copy of the same to the clerk of the county commissioners' court of the county of Cass; and also, a copy of the same to the Secretary of State, which said certificate shall be evidence of the facts therein stated. If a majority of the legal voters of both counties shall vote against the proposed addition to Cass county, the said county of Morgan shall be, and remain as the same now is in territory;" which was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Constable, Davis, Edwards, Fithian, Harrison, Henry, Judd, Matteson, Parker, G. Smith and Webb—13.

Those voting in the negative, are,

Messrs. Allen, Cavarly, Crain, Dougherty, Dunlap, Forman, Johnson, Killpatrick, Leviston, Markley, McMillan, McMurtry, Minard, Morri-

son, Nunnally, Powers, Ruggles, J. Smith, Thompson, Vandeventer, Warren, Wilbanks and Wynne—23.

The question then being taken on ordering said bill to a third reading, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Cavariy, Crain, Dougherty, Dunlap, Forman, Killpatrick, Leviston, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Nunnally, Parker, Powers, Ruggles, J. Smith, Thompson, Vandeventer, Warren, Wilbanks and Wynne—24.

Those voting in the negative, are,

Messrs. Boal, Buford, Constable, Davis, Edwards, Fithian, Harrison, Henry, Johnson, Judd, G. Smith and Webb—12.

On motion,

The Senate adjourned.

FRIDAY, FEBRUARY 21, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Richmond.

Mr. Wilbanks asked and obtained leave of absence for N. Johnston, Engrossing and Enrolling Clerk.

On motion of Mr. Constable,

Leave of absence was granted to Mr. Worthington until Monday next.

A message from the House of Representatives, by Mr. Strong, a member of the House.

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed a bill for "An act to amend the charter of the city of Alton."

In the passage of which they ask the concurrence of the Senate.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in the adoption of a resolution prohibiting the reception of bonds hypothecated with McAlister and Stebbins, at more than twenty-six cents on the dollar, as amended by the House.

In which amendment they ask the concurrence of the Senate.

A message from the House of Representatives, by Mr. Davis, a member of the House.

Mr. Speaker: I am directed to inform the Senate, that the House of Representatives have concurred with the Senate in the passage of a bill for "An act to change the time of holding courts in the county of Shelby," as amended by the House; they amend by striking out all of the bill after the enacting clause and inserting a substitute. They also amend the title of the bill by adding at the end thereof the words "and for other purposes."

In which amendments they ask the concurrence of the Senate.

On motion of Mr. McMurtry,

Ordered, That as leave of absence has this day been given to the Engrossing and Enrolling Clerk of the Senate, that A. F. Patrick be and is

hereby appointed to discharge the duties of said Clerk until the return of the Clerk who is called home by sickness in his family.

Mr. Markley, from the committee on Internal Navigation, to which was referred a bill from the House of Representatives entitled "An act to authorize Joseph Cox and others to construct a mill-dam on the Mississippi river," reported the same back with an amendment; which was concurred in, and said bill as amended,

Ordered to a third reading.

Mr. Matteson, from the committee on Finance, to which was referred a bill from the House of Representatives entitled "An act to provide for the collection of revenue in Marquette county," reported the same back with an amendment adding sections 9 and 10.

Mr. McMurtry called for a division of the question.

Mr. Constable moved to lay said bill and the proposed amendment on the table; which was not agreed to.

Mr. Cavarly moved to re-commit said bill and amendment to the committee on Finance with instructions as follows:

"To provide for obtaining the proportion of the school fund belonging to said county of Marquette, for the years 1843 and 1844;" which was not agreed to.

Mr. Constable moved that the further consideration of said bill and amendment be indefinitely postponed; which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Catlin, Constable, Dougherty, Edwards, Fithian, Forman, Harrison, Johnson, Judd, Killpatrick, Leviston, McMurtry, Morrison, Parker, Ruggles, J. Smith, G. Smith, Vandeventer, Webb and Wynne—20.

Those voting in the negative, are,

Messrs. Buford, Cavarly, Crain, Dunlap, Harris, Markley, Matteson, McMillan, Nunnally, Ryan, Warren and Wilbanks—12.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Markley, from the committee on Internal Navigation, to which was referred a bill entitled "An act to establish a ferry across the Illinois river, in La Salle county," reported the same back with an amendment; which was concurred in, and said bill as amended,

Ordered to be engrossed for a third reading.

On motion of Mr. Warren,

The order of business was suspended, and the bill just received in the message from the House of Representatives entitled "An act to change the time of holding courts in the county of Shelby," as amended by the House of Representatives was taken up, and the amendments of the House of Representatives concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Harris, from the committee on Petitions, to which was referred the petition of Martha Turk praying for a divorce, reported the same back, and said committee were discharged from a further consideration of the subject.

On motion of Mr. Harris,

Said petition was laid on the table.

Mr. Catlin, from the select committee, to which was referred the bill entitled "An act to prevent trespassing, and for other purposes," reported the same back with an amendment.

On motion of Mr. Dougherty,

The bill and proposed amendment were referred to the committee on the Judiciary.

On motion of Mr. Cavarly,

The bill some days since laid on the table entitled "An act to establish the times of holding circuit courts in the first judicial circuit," was taken up, and the proposed amendment thereto concurred in, said bill as amended was

Ordered to be engrossed for a third reading.

On motion of Mr. Cavarly,

Ordered, That a committee of three on the part of the Senate be appointed to confer with the Council of Revision, touching the revision of the laws now in progress before them.

Ordered, That Messrs. Cavarly, Constable and McMurtry be that committee.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have adopted the following resolution, viz:

Resolved, That the Senate be respectfully requested to return to the House of Representatives, for their further action thereon, a certain bill this morning reported from the House, entitled a bill for "An act to change the time of holding courts in Shelby county."

A message from the Council of Revision, by Mr. Hawley, their Secretary:

Mr. Speaker: I am directed to say that the Council of Revision has approved a bill of the following title, to wit:

"An act to establish the Cook county court."

The orders of the day were taken up.

Senate bills on their third reading.

The bill entitled "An act to establish and maintain common schools," was read a third time.

Mr. G. Smith moved to amend said bill by adding the following as an additional section.

"Sec. 90. The trustees of schools in their respective townships shall have the same power to examine teachers as is given to school commissioners in the twelfth section of this act, and it shall be their duty on application to examine any person proposing to teach a school in their own township, either by themselves or by associating with them some competent person; and if, on examination, a majority of said trustees shall find such person to possess the qualifications named in the twelfth section of this act, and that he or she is of good moral character, shall give to such person a certificate to that effect, which shall entitle such teacher to a due proportion of the school funds to be distributed in such township;" which was agreed to, and said bill as amended passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

The bill entitled "An act to secure the rights of the people," was read a third time and passed.

On motion of Mr. G. Smith,

The title was amended so as to make it read "An act to establish a ferry across the Mississippi river."

The bill entitled "An act to remove the seat of Government from Springfield, to the city of Peoria," was read a third time and passed.

On motion of Mr. Harrison,

The title was amended so as to make it read "An act for the benefit of D. Kyle Stephenson."

The bill entitled "An act for the relief of the persons therein named," was read a third time and passed.

On motion of Mr. Leviston,

The title was so amended as to make it read "An act for the relief of Mary S. Curtin."

Ordered, That the titles be severally as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bills.

The bill entitled "An act concerning the territorial and other records of Illinois," was read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

A message from the House of Representatives, by Mr. Miller of Fulton a member of the House:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with the Senate in the passage of a bill for "An act authorizing certain persons holding property in trust for the use of the Catholic church and societies in the State of Illinois, to convey the same."

The House of Representatives have passed a bill for "An act to authorize the county commissioners of Putnam and Bureau counties to lease the ferry at Hennepin, and other purposes."

In the passage of which they ask the concurrence of the Senate.

Bills from the House of Representatives on their third reading.

The bills entitled "An act to incorporate the town of Belleville, in St. Clair county;"

"An act to extend the limits of Cass county;"

"An act incorporating the Rockford Cemetery Association;" and

"An act for the relief of Lovel Kimball," were severally read a third time and passed.

Ordered, That the titles be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill entitled "An act for the relinquishment by the State of Illinois to the city of Quincy, of her right to the bed of the railroad as laid out through said city," was read a third time as amended, and

On motion of Mr. Dougherty,

Referred to the committee on Finance.

On motion of Mr. Judd,

The order of business was suspended, and the following resolution read and adopted.

Resolved by the Senate, the House of Representatives concurring herein, That the two Houses of the General Assembly will meet in the Hall of the House of Representatives on Saturday the 22d of February inst. at 7 o'clock, P. M., for the purpose of electing a Judge of the Cook county court, and a prosecuting Attorney for Cook county; also, a prosecuting Attorney for the seventh judicial circuit.

Bills from the House of Representatives on their first reading.

The bill entitled "An act to incorporate the Oswego Manufacturing Company," was read, and

Ordered to a second reading.

On motion of Mr. Ryan,

The rule was dispensed with, said bill read a second time by its title, and

On motion of Mr. Markley,

Referred to the committee on Incorporations.

The bill entitled "An act to amend an act entitled 'An act to incorporate the Rock Island University,'" approved January 18th, 1840, was read, and

On motion of Mr. Buford,

Laid on the table.

The bill entitled "An act authorizing the board of Auditor's to settle certain claims therein named," was read, and

Ordered to a second reading.

On motion of Mr. G. Smith,

The rule was dispensed with, said bill read a second time by its title, and referred to the committee on Finance.

The bills entitled "An act to authorize Recorders to appoint deputies;" and

"An act to amend an act entitled 'An act to incorporate the town of Rushville,'" approved March 2, 1839, were severally read, and

Ordered to a second reading.

On motion, the rule was dispensed with, said bills severally read a second time by their titles, and

Ordered to a third reading.

On motion, the rule was further dispensed with, said bills severally read a third time by their titles and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill entitled "An act supplemental to an act to incorporate the Spoon river navigation company," approved March 3d, 1837, was read, and

Ordered to a second reading.

On motion of Mr. Markley,

The rule was dispensed with, said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Markley, Fithian and Judd be that committee.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The bill entitled "An act to extend the corporate powers of the town of Peru," was read, and

Ordered to a second reading.

On motion of Mr. Judd,

The rule was dispensed with, said bill read a second time by its title, and referred to the committee on Incorporations.

The bill entitled "An act to amend an act concerning the 16th section, township one south, range five west, lying in the counties of Washington and Clinton," in force February 23, 1843, was read, and

Ordered to a second reading.

On motion of Mr. Crain,

The rule was dispensed with, said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Crain, Thompson and Wilbanks be that committee.

Mr. Wynne, from the committee on Enrolled Bills, reported as correctly enrolled, bills of the following titles, to wit:

"An act to change the name of a society in Bond county;"

"An act to authorize the sale of school lands in township numbered 18 north, of range eleven east, in Champaign county;"

"An act authorizing the county commissioners of Jo Daviess county to appoint an assessor and collector;"

"An act to grant a ferry across the Ohio river at Cairo, to Bryan Shawneese and Patrick Smith;"

"An act to amend an act entitled 'An act to incorporate the Rock river Seminary, in Ogle county, Illinois;'"

"An act to legalize the location of the county seat of Woodford county, and change the name of the county seat thereof;"

"An act to relocate a part of a State road therein named;" and

"An act concerning the public treasury;"

Also, that said bills have this day been laid before the Council of Revision.

The bill entitled "An act to exempt certain property from execution or other process, and for other purposes," was read.

Mr. Dougherty moved to lay said bill on the table; which was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Buford, Davis, Dougherty, Forman, Harrison, Judd, Killpatrick, McMillan, McMurtry, Minard, Powers, Ruggles, G. Smith, Webb and Wilbanks—15.

Those voting in the negative, are,

Messrs. Cavarly, Constable, Crain, Dunlap, Fithian, Harris, Henry, Johnson, Leviston, Markley, Morrison, Nunnally, Parker, J. Smith, Thompson, Vandeventer, Warren and Wynne—18.

Said bill was,

Ordered to a second reading.

On motion of Mr. Webb,

The rule was dispensed with, and said bill read a second time by its title.

Mr. Webb moved to amend said bill by striking out the fourth section.

Mr. McMurtry moved the previous question:

And on the question: "Shall the main question be now put?" It was decided in the affirmative.

The question then being taken on the adoption of the proposed amendment, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Buford, Davis, Dougherty, Fithian, Forman, Harrison, Henry, Judd, Killpatrick, Matteson, McMillan, McMurtry, Minard, Powers, Ruggles, Webb and Wilbanks—17.

Those voting in the negative, are,

Messrs. Catlin, Cavarly, Constable, Crain, Dunlap, Harris, Johnson, Leviston, Markley, Morrison, Nunnally, Parker, J. Smith, G. Smith, Thompson, Vandeverter, Warren and Wynne—18.

The question then being taken on ordering said bill to a third reading, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Catlin, Cavarly, Constable, Crain, Dunlap, Fithian, Harris, Johnson, Leviston, Markley, Morrison, Parker, J. Smith, Thompson, Vandeverter, Warren and Wynne—17.

Those voting in the negative, are,

Messrs. Buford, Davis, Dougherty, Forman, Harrison, Henry, Judd, Killpatrick, Matteson, McMillan, McMurtry, Minard, Nunnally, Powers, Ruggles, G. Smith, Webb and Wilbanks—18.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Wynne, from the committee on Enrolled Bills, reported as correctly enrolled, "An act to change the time of holding courts in the county of Shelby, and for other purposes;" and have laid the same before the Council of Revision.

The bill entitled "An act to incorporate the city of Nauvoo," was read.

Mr. Constable moved to lay said bill on the table; which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Catlin, Constable, Crain, Davis, Dougherty, Edwards, Fithian, Forman, Harrison, Henry, Johnson, Leviston, McMillan, Morrison, Nunnally, Parker, Powers, G. Smith, Warren, Webb, Wilbanks and Wynne—22.

Those voting in the negative, are,

Messrs. Buford, Cavarly, Dunlap, Harris, Judd, Killpatrick, Markley, Matteson, McMurtry, Minard, Ruggles, Ryan, J. Smith, Thompson and Vandeverter—15.

The bill entitled "An act to encourage the apprehension of horse thieves," was read, and

Ordered to a second reading.

On motion of Mr. Nunnally,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

Mr. Harris moved further to dispense with the rule, and that said bill be now read a third time; which was not agreed to.

On motion of Mr. Dougherty,

The order of business was suspended, and

Mr. Dougherty from the committee on Finance, to which was referred the bill entitled "An act supplemental to an act to reduce the public debt one million of dollars, and to put the Bank of Illinois in liquidation," reported the same back with an amendment; which was concurred in, and said bill as amended,

Ordered to be engrossed for a third reading.

On motion of Mr. Davis,

The order of business was suspended, and the bill, some time since laid on the table entitled "An act to authorize Hannah G. Sharp to keep a ferry across the Mississippi river at Warsaw," was taken up and referred to the committee on the Judiciary.

On motion of Mr. Powers,

The order of business was suspended, and the bill from the House of Representatives entitled "An act to attach a part of De Witt county to the county of Logan," was taken up, read, and

Ordered to a second reading.

On motion of Mr. Powers,

The rule was dispensed with, said bill read a second time by its title, and referred to the committee on Counties.

The bill entitled "An act concerning school lands in Peoria county," was read, and

Ordered to a second reading.

On motion of Mr. Ruggles,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

Bills entitled "An act to legalize the assessment of property in the county of Pulaski for the year 1843, and for other purposes;"

"An act to establish a ferry therein named;"

"An act to incorporate Metropolis city," were severally read, and

Ordered to a second reading.

And the rule having been on motion dispensed with, the same were read a second time by their titles, and

Ordered to a third reading.

And the rule having been on further motion dispensed with, said bills were read a third time by their titles and passed.

Ordered, That the titles be as aforesaid, and that the Secretary inform the House of Representatives of the concurrence of the Senate.

On motion,

The Senate adjourned.

SATURDAY, FEBRUARY 22, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Hale.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in the passage of bills of the following titles:

"An act for the relief of the securities of Thomas Hayden;"

"An act for the relief of the heirs of Geore Finney, deceased;"

"An act for the relief of Thomas A. Nicholas;" and

"An act for the relief of the heirs of Tyler D. Hewitt, deceased, and to adjust the claims of the State of Illinois against said Hewitt, as former commissioner of Saline lands in Gallatin county."

The House have concurred with the Senate in the passage of bills of the following titles:

"An act to incorporate the town of Tentopolis, in the county of Effingham;" and

"An act appointing a collector of the unpaid taxes for 1842, in Lawrence county," as amended by the House.

In which amendments they ask the concurrence of the Senate.

The House have concurred with the Senate in the adoption of their resolution having for its object the election of a judge of the Cook county court; a prosecuting attorney for Cook county; and also a prosecuting attorney for the seventh judicial circuit.

The House have passed bills of the following titles:

"An act to authorise the school commissioners of Tazewell and McLean counties to pay over school moneys to the counties of Woodford and Mason;"

"An act to create a justice of the peace and constable in the town of Plymouth, in Hancock county;"

"An act authorising the sale of seminary lands in Champaign county;"

"An act for the relief of the late collector for Shelby county;"

"An act to change the county line between Menard and Mason counties;"

"An act authorising the school commissioner of Greene county to sell certain property purchased on execution;" and

"An act to regulate the salaries and compensation of the several officers and persons therein mentioned."

In the passage of which several bills they ask the concurrence of the Senate.

A message from the Council of Revision, by Mr. Hawley, their Secretary:

Mr. Speaker: I am directed to say that the Council of Revision has approved bills of the following titles, to wit:

"An act to change the name of a society in Bond county;"

"An act to change the time of holding courts in the county of Shelby, and for other purposes;"

"An act authorising the county commissioners of Jo Daviess county to appoint an assessor and collector;"

"An act to grant a ferry across the Ohio river at Cairo, to Bryan Shawneeseey and Patrick Smith;"

"An act authorising the sale of school lands in township numbered eighteen north, of range eleven east, in Champaign county;"

"An act to re-locate part of a State road therein named;"

"An act concerning the public treasury;"

"An act to legalize the location of the county seat of Woodford county, and to change the name of the county seat thereof;"

"An act to amend an act, entitled 'An act to incorporate the Rock river seminary, in Ogle county, Illinois.'"

A message from the House of Representatives, by Mr. Cloud, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed bills of the following titles:

"An act for the permanent location of the seat of justice of Kendall county;"

"An act to provide for the collection of taxes for the year 1843, in Clay county, and to legalize the assessment of taxes in said county, for the year 1844;" and

"An act organising a school district in Vermilion. and authorising the sale of school lands therein."

In the passage of which several bills I am directed to ask the concurrence of the Senate.

Mr. Markley, from the committee on Internal Navigation, to which was referred the bill from the House of Representatives entitled "An act to remove certain mill dams therein named," reported the same back without amendment.

Mr. Constable moved a call of the Senate;

During the pendency of the call,

Mr. Vandeventer, from the committee on Incorporations, to which was referred the bill from the House of Representatives entitled "An act to incorporate the Oswego Manufacturing Company," reported the same back without amendment; said bill was

Ordered to a third reading.

On motion of Mr. Vandeventer,

The rule was dispensed with, said bill read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. McMurtry, from the committee on Counties, to which was referred the bill from the House of Representatives entitled "An act to attach a part of De Witt county to the county of Logan," reported the same back without amendment; said bill was

Ordered to a third reading.

On motion of Mr. McMurtry,

The rule was dispensed with, said bill read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. J. Smith, from the committee on Internal Navigation, to which was referred the bill from the House of Representatives entitled "An act

to authorise John Foster and others to construct a mill dam on the Mississippi river," reported the same back with an amendment, which was concurred in, and said bill as amended,

Ordered to a third reading.

On motion of Mr. Constable,

The further proceedings under the call were dispensed with.

The question recurring on ordering to a third reading the bill from the House of Representatives entitled "An act to remove certain mill dams therein named."

Mr. Webb moved that the further consideration of said bill be indefinitely postponed; which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Buford, Catlin, Dougherty, Edwards, Fithian, Harris, Harrison, Henry, Johnson, Leviston, Markley, Matteson, McMillan, McMurtry, Minard, Powers, Ruggles, G. Smith, Webb and Wilbanks—20.

Those voting in the negative, are,

Messrs. Cavarly, Constable, Crain, Dunlap, Forman, Killpatrick, Morrison, Nunnally, J. Smith, Thompson, Vandeventer, Warren and Wynne—13.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Crain, from the select committee, to which was referred the bill from the House of Representatives entitled "An act to amend 'An act concerning the 16th section, township one south, range 5 west, lying in the counties of Washington and Clinton,'" in force Feb. 23, 1843, reported the same back without amendment; said bill was

Ordered to a third reading.

On motion of Mr. Crain,

The rule was dispensed with, said bill read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Markley, from the select committee, to which was referred the bill from the House of Representatives entitled "An act supplemental to 'An act to incorporate the Spoon river Navigation Company,'" approved March 3d, 1837, reported the same back with an amendment, which was concurred in, and said bill as amended,

Ordered to a third reading.

On motion of Mr. Markley,

The rule was dispensed with, said bill read a third time by its title and passed.

On motion of Mr. Markley,

The title of said bill was so amended as to make it read "An act to amend 'An act to incorporate the Spoon river Navigation Company.'"

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendments to said bill and title.

Mr. Killpatrick, from the select committee, to which was referred the bill entitled "An act to encourage emigration to Oregon," reported the same back with an amendment; which was concurred in.

Mr. Killpatrick moved to re-consider the vote just taken on the adoption of the amendment, which was agreed to.

Mr. Cavarly moved to amend the proposed amendment by striking out in the 2d section the words 'twelve thousand' and inserting 'five thousand' in lieu thereof.

Mr. Johnson moved to insert 'eight thousand.'

Mr. G. Smith moved to insert 'three thousand.'

Mr. Johnson called for a division of the question; and the question being first taken on striking out 'twelve thousand,' it was decided in the affirmative.

The question then being taken on inserting the words 'eight thousand,' it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Buford, Catlin, Constable, Davis, Dougherty, Fithian, Harrison, Henry, Johnson, Killpatrick, Leviston, Markley, Matteson, McMillan, Ruggles, J. Smith, Thompson, Webb and Wilbanks—19.

Those voting in the negative, are,

Messrs. Cavarly, Crain, Dunlap, Edwards, Forman, Harris, Morrison, Nunnally, Powers, G. Smith, Warren and Wynne—12.

Mr. Nunnally moved to amend the first section of the proposed amendment by striking out all after the word 'that' to the word 'supplement.'

Mr. Dougherty moved to amend the part proposed to be stricken out by inserting the words 'out of the school fund.'

Mr. Harris moved that the motion to amend the part proposed to be stricken out be laid on the table.

On motion of Mr. Cavarly,

The order of business was suspended, and the bill entitled "An act to establish the times of holding circuit courts in the first judicial circuit," was taken up, read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of its passage, and ask their concurrence therein.

On motion,

The Senate adjourned until 7 o'clock, P. M.

SEVEN O'CLOCK, P. M.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed a bill for "An act to provide for paying a portion of the interest on the State debt."

In the passage of which they ask the concurrence of the Senate.

The House have adopted the following resolution:

Resolved, That the clerk inform the Senate that the House of Representatives are now ready to receive them in the Hall of the House of Representatives to proceed to the election of certain officers.

And thereupon, the Senate preceded by their Speaker, repaired to the Hall of the House of Representatives, and the two Houses proceeded to the election of a judge of the Cook county court.

Messrs. Matteson of the Senate, and Benedict of the House of Representatives were appointed Tellers.

Mr. Arnold of the House of Representatives, nominated Hugh T. Dickey.

Mr. Sexton of the House, nominated Henry Brown.

And the ballots being counted, the following is the result:

For Henry Brown, 15.

For Hugh T. Dickey, 35.

For Stephen G. Hicks, 36.

Blank and scattering, 17.

In all, 103.

No quorum having voted, on motion of Mr Nunnally of the Senate, a call of the two Houses progressed, and was after some time, on motion of Mr. Boyakin of the House of Representatives, dispensed with.

The two Houses then proceeded to a second ballot for judge of the Cook county court.

Mr. Dougherty of the Senate, nominated Richard J. Hamilton.

Mr. Davis of the Senate, nominated David B. Campbell.

And the ballots being counted, the vote stood thus:

For Hugh T. Dickey, 46.

For Henry Brown, 6.

For R. J. Hamilton, 5.

For David B. Campbell, 21.

For Stephen G. Hicks, 28.

Blank and scattering, 14.

No person having received a majority of all the votes given, the two Houses proceeded to a third ballot.

And the vote being counted, stood as follows:

For Hugh T. Dickey, 54.

For David B. Campbell, 17.

For Richard J. Hamilton, 2.

Blank and scattering, 11.

No person having received a majority of all the votes given, the two Houses proceeded to a fourth ballot.

And the vote being counted, stood thus:

For Hugh T. Dickey, 66.

For David B. Campbell, 49.

Scattering, 10.

Hugh T. Dickey having received a majority of all the votes given, was declared by the Speaker of the House of Representatives duly elected judge of the Cook county court.

On motion of Mr. Judd of the Senate,

Patrick Ballingall was unanimously elected prosecuting attorney for Cook county, and so declared by the Speaker of the House of Representatives.

On motion of Mr. Matteson of the Senate,

William a Boardman was unanimously elected State's Attorney for the seventh judicial circuit, and was so declared by the Speaker of the House of Representatives,

And thereupon the Senate returned to their chamber, and

On motion,

Adjourned.

MONDAY, FEBRUARY 24, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Hale.

Mr. Cavarly, from the committee on the Judiciary, to which was referred a bill from the House of Representatives entitled "An act to extend the jurisdiction of justices of the peace and constables in forcible entry and detainer and forcible detainer," reported the same back without amendment, said bill was

Ordered to a third reading.

On motion of Mr. Harrison,

The rule was dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Cavarly, from the same committee, to which was referred the petition of sundry citizens of Lee and Ogle counties, reported a bill entitled "An act authorizing certain lands to be flooded," which was read, and

Ordered to a second reading.

On motion of Mr. Cavarly,

The rule was dispensed with, said bill read a second and third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of the same.

Mr. Worthington, from the select committee, to which was referred the bill entitled "An act for the re-occupation of the territory of Oregon," reported the same back with an amendment; which was concurred in, and said bill as amended, was

Ordered to be engrossed for a third reading.

On motion of Mr. Worthington,

The rule was dispensed with, said bill read a third time and passed.

On motion of Mr. Worthington,

The title of said bill was amended, so as to make it read "An act to amend an act entitled 'An act to amend the several acts in relation to common schools,'" passed March 4, 1837.

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

Mr. Vandeventer, from the committee on Incorporations, to which was referred the bill from the House of Representatives entitled "An act to extend the corporate powers of the town of Peru," reported the same back without amendment, said bill was

Ordered to a third reading.

On motion of Mr. Vandeventer,

The rule was dispensed with, said bill read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Constable, from the committee on the Judiciary, to which was

referred the bill entitled "An act for the re-annexation of Texas," reported the same back with an amendment.

Mr. Markley moved to amend by striking out the 2d section; which was not agreed to, the amendment was then concurred in, and said bill as amended,

Ordered to be engrossed for a third reading.

Mr. Cavarly, from the committee on the Judiciary, to which was referred the bill entitled "An act for certain purposes therein named," reported the same back with an amendment; which was concurred in, and said bill as amended,

Ordered to be engrossed for a third reading.

On motion of Mr. Cavarly,

The rule was dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of the same.

Mr. Webb, from the committee on the Judiciary, to which was referred the bill entitled "An act to authorize Elizabeth Pawling to sell certain real estate," reported the same back without amendment.

On motion of Mr. Webb,

Said bill was laid on the table.

Mr. Cavarly, from the same committee, to which was referred the bill entitled "An act to amend an act entitled 'An act to establish circuit courts,' " reported the same back with an amendment.

Mr. Constable moved that the bill and amendment be laid on the table until the 4th of July next; which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Constable, Crain, Davis, Dougherty, Edwards, Fithian, Harrison, Henry, Johnson, Killpatrick, Markley, McMillan, Morrison, Nunnally, Parker, Powers, Ryan, G. Smith, Vandeventer, Waters, Webb and Worthington—23.

Those voting in the negative, are,

Messrs. Cavarly, Dunlap, Harris, Judd, Leviston, Matteson, McMurry, Minard, J. Smith, Thompson, Warren, Wilbanks and Wynne—13.

The question recurring on the question pending at the time of adjournment on Saturday, which was on the motion to lay on the table the proposed amendment made to the motion to strike out certain words in the first section of the bill entitled "An act to encourage emigration to Oregon."

And the question being taken, it was decided in the affirmative.

The proposed amendment to the amendment by striking out certain words, was then agreed to.

Mr. G. Smith moved further to amend the first section of said amendment by striking out the word "treasurer;" which was agreed to, and the amendment as amended concurred in, and said bill as amended,

Ordered to be engrossed for a third reading.

Mr. Constable, from the select committee, to which was referred the bill from the House of Representatives entitled "An act to limit the juris-

diction of justices of the peace," reported the same back with an amendment.

Mr. Davis moved to lay the proposed amendment on the table; which was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Davis, Dougherty, Edwards, Harrison, Henry, Johnson, Judd, Killpatrick, Matteson, Minard, Rowers, Ryan, G. Smith, Vandeventer and Worthington—15.

Those voting in the negative, are,

Messrs. Allen, Buford, Catlin, Cavarly, Constable, Crain, Dunlap, Fithian, Harris, Leviston, Markley, McMillan, McMurtry, Morrison, Nunnally, Parker, Ruggles, J. Smith, Thompson, Warren, Waters, Wilbanks and Wynne—23.

Mr. Constable moved the previous question.

And on the question: "Shall the main question be now put?" It was decided in the affirmative.

The question then being taken on concurring with the committee in the proposed amendment to said bill, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Catlin, Cavarly, Constable, Crain, Dougherty, Dunlap, Harris, Leviston, Markley, McMillan, McMurtry, Morrison, Nunnally, Parker, Ruggles, J. Smith, Thompson, Warren, Waters, Wilbanks and Wynne—22.

Those voting in the negative, are,

Messrs. Buford, Davis, Edwards, Fithian, Forman, Harrison, Henry, Johnson, Judd, Killpatrick, Matteson, Minard, Powers, Ryan, G. Smith, Vandeventer and Worthington—17.

And said bill as amended was

Ordered to a third reading.

Mr. Constable moved to dispense with the rule, and that said bill be now read a third time; which was not agreed to.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed bills of the following titles:

"An act for the relief of James M. Jones, of Gallatin county;"

"An act for the relief of James Ryan;" and

"An act in relation to the Revised Statutes."

In the passage of which they ask the concurrence of the Senate.

Mr. Wynne, from the committee on Enrolled Bills, reported as correctly enrolled, "An act authorizing certain persons holding property in trust for the use of the Catholic church and societies thereof, in the State of Illinois to convey the same," and that the same is laid before the Council of Revision.

The orders of the day were taken up.

Senate bills on their third reading.

The bill entitled "An act to establish a ferry across the Illinois river, in La Salle county;" and

"An act to incorporate the Chicago and Juliet turnpike company," were severally read a third time and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bills.

The bill entitled "An act supplemental to an act to reduce the public debt one million of dollars, and to put the bank of Illinois into liquidation," was read a third time.

Mr. Leviston moved to refer said bill to a select committee; which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Catlin, Constable, Crain, Dunlap, Forman, Harris, Leviston, McMillan, Morrison, Nunnally, Parker, Ruggles, Ryan, Thompson, Warren, Waters, Webb, Wilbanks, Worthington and Wynne—21.

Those voting in the negative, are,

Messrs. Buford, Davis, Dougherty, Edwards, Fithian, Harrison, Henry, Johnson, Judd, Killpatrick, Markley, McMurtry, Minard, Powers, J. Smith, G. Smith and Vandeventer—17.

Ordered, That Messrs. Leviston, Allen and Constable be that committee.

The bill entitled "An act for the re-annexation of Texas," was read a third time and passed.

On motion of Mr. Constable,

The title was so amended as to make it read "An act in relation to certain mill-dams in the Little Wabash river."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

Bills from the House of Representatives:

Bills entitled "An act to encourage the apprehension of horse thieves;"

"An act concerning school lands in Peoria county;" and

"An act to authorise Joseph Cox and others, to construct a mill-dam on the Mississippi river;" (the latter bill as amended,) were severally read a third time and passed.

The bill entitled "An act to authorize John Foster and others, to construct a mill-dam on the Mississippi river," as amended, was read a third time and passed.

The bill entitled "An act to limit the jurisdiction of justices of the peace," was read a third time as amended by the Senate.

And the question being put: "Shall the bill as amended pass?" It was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Catlin, Cavarly, Constable, Crain, Dougherty, Dunlap, Harris, Leviston, Markley, McMillan, McMurtry, Morrison, Nunnally, Parker, Ruggles, J. Smith, Thompson, Warren, Waters and Wynne—21.

Those voting in the negative, are,

Messrs. Buford, Davis, Edwards, Fithian, Forman, Henry, Johnson, Killpatrick, Matteson, Minard, Powers, Ryan, G. Smith, Vandeventer, Webb and Worthington—16.

Ordered, That the titles of said bills be as aforesaid, and that the Secretary inform the House of Representatives of their passage, and ask the concurrence of the House in the amendments of the Senate.

Bills entitled "An act for the relief of Thomas Short, late collector of the revenue in Vermilion county;"

"An act for the relief of Garrett M. Blue, late sheriff of the county of Livingston;" and

"An act for the relief of Alfred Shattuck;" were severally read, and *Ordered* to a second reading.

On motion, the rule was dispensed with, said bills read a second time by their titles, and referred to the committee on Finance.

The bill entitled "An act for the relief of Amos Durbin," was read, and

Ordered to a second reading.

On motion of Mr. Ruggles,

The rule was dispensed with, said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Ruggles, Matteson and Buford be that committee.

The bill entitled "An act to provide for the election of certain officers therein named, and to fix the tenure of their offices," was read, and

Ordered to a second reading.

Bills entitled "An act to locate a State road therein named;"

"An act establishing Mordock precinct in Monroe county;"

"An act to change the name of a town therein mentioned;"

"An act to legalize the acts of Andrew Deardoff, former acting clerk of the county commissioner's court of Union county;"

"An act to locate a State road in the county of Cook;"

"An act to vacate the survey and plat of the subdivision of lots eight, nine and ten, in block one, in Randolph's addition to the city of Quincy;"

"An act to authorize William C. Tiffany and David Cory to resurvey a street therein named;" and

"An act to provide for the collection of taxes for the year 1843, in Clay county, and to legalize the assessment of taxes in said county for the year 1844," were severally read, and

Ordered to a second reading.

On motion, the rule was dispensed with, said bills severally read a second time by their titles, and

Ordered to a third reading.

On motion, the rule was further dispensed with, said bills severally read a third time by their titles and passed.

Ordered, That the titles to said bills be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Leviston,

The order of business was suspended.

Mr. Leviston, from the select committee, to which was referred the bill entitled "An act supplemental to an act to reduce the public debt one million of dollars, and to put the Bank of Illinois into liquidation," reported the same back with amendment.

Mr. Webb called for a division of the question on the proposed amendments.

Mr. Davis moved the previous question:

And on the question: "Shall the main question be now put?" It was decided in the affirmative.

And the question being first taken on concurring with the committee in their amendments to said bill, except the proposed amendment to the 17th section, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Dunlap, Fithian, Forman, Harris, Leviston, Nunnally, Parker, Warren, Waters, Wilbanks and Worthington—12.

Those voting in the negative, are,

Messrs. Buford, Cavarly, Crain, Davis, Dougherty, Edwards, Harrison, Henry, Johnson, Judd, Killpatrick, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Powers, Ryan, J. Smith, G. Smith, Thompson, Vandeventer and Webb—24.

The question then being taken on concurring with the committee in their amendment to the 17th section, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Buford, Catlin, Cavarly, Dunlap, Forman, Harris, Leviston, Matteson, Nunnally, Parker, Powers, Vandeventer, Warren, Waters, Webb, Wilbanks and Worthington—18.

Those voting in the negative, are,

Messrs. Crain, Davis, Dougherty, Edwards, Fithian, Harrison, Henry, Johnson, Judd, Killpatrick, Markley, McMillan, McMurtry, Minard, Morrison, Ryan, J. Smith, G. Smith, Thompson and Wynne—20.

On the question: "Shall the bill pass?" It was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Buford, Catlin, Cavarly, Davis, Dougherty, Edwards, Fithian, Harrison, Henry, Johnson, Judd, Killpatrick, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Powers, Ryan, J. Smith, G. Smith, Thompson, Worthington and Wynne—25.

Those voting in the negative, are,

Messrs. Crain, Dunlap, Forman, Harris, Leviston, Nunnally, Parker, Vandeventer, Warren, Waters, Webb and Wilbanks—12.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

A message from the House of Representatives, by Mr. Strong, a member of the House:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed a bill for "An act for the relief of the infant heirs of John Norris, deceased."

In the passage of which they ask the concurrence of the Senate.

The House of Representatives have also adopted the accompanying resolution.

In the adoption of which they ask the concurrence of the Senate.

The House of Representatives have passed a bill for "An act to lease the Penitentiary."

In the passage of which they ask the concurrence of the Senate.

The House have concurred with the Senate in the passage of a bill for "An act to alter and amend the law concerning interest on money and usury," as amended by the House of Representatives; they amend by filling the blank in the last section with the word "April."

In which amendment they ask the concurrence of the Senate.

The bill entitled "An act authorizing the school commissioner of Greene county to sell certain property purchased on execution," was read, and

On motion of Mr. Killpatrick,

Laid on the table.

The bill entitled "An act to amend the charter of the city of Alton," was read, and

Ordered to a second reading.

On motion of Mr. G. Smith,

The rule was dispensed with, said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Smith, Catlin and Worthington be that committee.

The bill entitled "An act to change the county line between Menard and Mason counties," was read, and

Ordered to a second reading.

On motion of Mr. Wynne,

The rule was dispensed with, said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Wynne, Boal and J. Smith be that committee.

The bill entitled "An act to authorize the county commissioners of Putnam and Bureau counties to lease the ferry at Hennepin, and other purposes," was read, and

Ordered to a second reading.

Mr. McMurtry moved to reconsider the vote just taken on the passage of the bill entitled "An act supplemental to an act to reduce the public debt one million of dollars, and to put the Bank of Illinois into liquidation," which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Buford, Cavarly, Crain, Dunlap, Forman, Harris, Henry, Johnson, Judd, Killpatrick, Leviston, Matteson, McMillan, McMurtry, Morrison, Nunnally, Parker, Powers, Ruggles, Smith of Adams, Smith of Madison, Warren, Waters, Webb, Wilbanks, Worthington and Wynne—28.

Those voting in the negative, are,

Messrs. Catlin, Dougherty, Edwards, Fithian, Markley, Minard, Ryan, Thompson and Vandeventer—9.

Mr. McMurtry then moved to reconsider the vote on concurring with the committee in their amendment to the 17th section of said bill; which was agreed to.

Mr. Dougherty moved to reconsider the vote taken on ordering the main question; which was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Catlin, Cavarly, Crain, Dougherty, Edwards, Fithian, Harris, Henry, Johnson, Markley, Matteson, McMillan, Powers, Ruggles, Smith of Madison, Thompson, Vandeventer, Wilbanks and Worthington—19.

Those voting in the negative, are,

Messrs. Allen, Buford, Davis, Dunlap, Forman, Harrison, Judd, Killpatrick, Leviston, McMurtry, Minard, Morrison, Nunnally, Parker, Ryan, Smith of Adams, Warren, Waters, Webb and Wynne—20.

The question then being taken on concurring with the committee in their amendment to the 17th section of said bill, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Buford, Catlin, Cavarly, Dunlap, Forman, Harris, Harrison, Henry, Johnson, Judd, Leviston, Matteson, McMurtry, Nunnally, Parker, Powers, Smith of Madison, Vandeventer, Warren, Waters, Webb, Wilbanks and Wynne—24.

Those voting in the negative, are,

Messrs. Crain, Dougherty, Edwards, Fithian, Killpatrick, Markley, McMillan, Minard, Morrison, Ruggles, Ryan, Smith of Adams, Thompson and Worthington—14.

On the question, "Shall the bill as amended pass?" It was decided in the affirmative.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

Bills entitled "An act to authorize the school commissioner of Montgomery county to settle a certain demand;"

"An act to authorize the school commissioner of La Salle county to pay over certain money to townships twenty-nine and thirty north, range one east, of the third principal meridian;"

"An act to create a justice of the peace and constable in the town of Plymouth, in Hancock county," were severally read, and

Ordered to a second reading.

And the rule having been dispensed with, on motion, the same were read a second time by their titles, and

Ordered to a third reading.

The bills entitled "An act to authorize the county of Boone and Winnebago to levy certain taxes for county purposes;" and

"An act for the relief of James Ryan," were severally read, and

Ordered to a second reading.

On motion, the rule was dispensed with, said bills severally read a second time by their titles, and referred to the committee on Finance.

The bill entitled "An act to authorize the school commissioners of Tazewell and McLean counties to pay over school moneys to the counties of Woodford and Mason," was read, and

Ordered to a second reading.

On motion of Mr. Powers,

The rule was dispensed with, said bill read a second time by its title, and referred to the committee on School Lands and Education.

Bills from the House of Representatives:

Bills entitled "An act in relation to the Revised Statutes;"

"An act for the permanent location of the seat of justice of Kendall county;"

"An act for the relief of the late collector of Shelby county;"

"An act authorizing the sale of seminary lands in Champaign county;"

"An act organizing a school district in Vermilion, and authorizing the sale of school lands therein;" and

"An act for the relief of James M. Jones, of Gallatin county," were severally read, and

Ordered to a second reading.

And the rule having been on motion, dispensed with, the same were read a second time by their titles, and

Ordered to a third reading.

And the rule having been on motion, further dispensed with, said bills were read a third time by their titles and passed.

Ordered, That the titles be as aforesaid, and that the Secretary inform the House of Representatives of the concurrence of the Senate.

Bills entitled "An act to change the name of Coles and Erskine's addition to the town of Chester to that of Menard, and for other purposes;"

"An act to incorporate the Lake Michigan Hydraulic company;"

"An act to amend an act entitled "An act authorizing the erection of a bridge over Rock river, at Rockford," approved February 27th, 1843, were severally read, and

Ordered to a second reading.

On motion, the rule was dispensed with, said bills were read a second time by their titles, and referred to the committee on Incorporations.

The bill entitled "An act to provide for paying a portion of the interest on the State debt," was read, and

Ordered to a second reading.

On motion of Mr. Cavarly,

The rule was dispensed with, said bill read a second time by its title.

On motion,

The Senate adjourned.

TUESDAY, FEBRUARY 25, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Richmond.

A message from the House of Representatives, by Mr. Cloud, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed bills of the following titles, viz:

"An act making appropriations for the pay and expenses of the Illinois militia called into service by the commander-in-chief during the year 1844;"

"An act to facilitate the collection of debts by executors and administrators, in desperate cases;"

"An act to provide for printing the laws as compiled by this General Assembly, and letting the same to the lowest responsible bidder;"

"An act to legalize the acts of the trustees of the town of Chester, in Randolph county."

In the passage of which several bills I am directed to ask the concurrence of the Senate.

The House of Representatives have concurred with the Senate in the passage of chapter 59 of the Revised Statutes.

The House of Representatives have passed a bill for "An act to incorporate the Roscoe Cemetery."

In the passage of which they ask the concurrence of the Senate.

The House of Representatives have concurred with the Senate in the passage of a bill for "An act to establish and maintain common schools."

The House have passed a bill for "An act for the settlement of the accounts of James Shepherd, late collector of Sangamon county."

In the passage of which I am directed to ask the concurrence of the Senate.

Mr. Wynne presented the petition of sundry citizens of Menard county, praying the annexation of certain territory to said county, which, without reading, was on his motion, referred to the committee on Counties.

Mr. Worthington presented the petition of sundry citizens of the town of Perry, in Pike county, praying the vacation of a part of said town, which, without reading, was on his motion, referred to the committee on Counties.

Mr. Judd presented the proceedings of a public meeting, in Cook county, on the subject of taxation; which, without reading, was on his motion, referred to the committee on Finance.

Mr. Matteson, from the committee on Finance, to which was referred a bill entitled "An act to reduce the State debt \$14,000,000, and put the State into liquidation," reported the same back with an amendment, which was concurred in; and said bill as amended,

Ordered to be engrossed for a third reading.

On motion of Mr. Matteson,

The rule was dispensed with, said bill read a third time by its title and passed.

On motion Mr. Matteson,

The title was so amended as to make it read "An act to dispose of lands stricken off to the State for taxes, and for other purposes."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

Mr. McMurtry, from the committee on Counties, to which was referred a bill entitled "An act concerning the county of Knox," reported the same back with an amendment, which was concurred in; and said bill as amended.

Ordered to be engrossed for a third reading.

On motion of Mr. Worthington,

The rule was dispensed with, said bill read a third time by its title and passed.

On motion of Mr. Worthington,

The title was so amended as to make it read "An act to vacate a part of the town plat of the town of Perry, in the county of Pike."

Ordered, That the title be as amended, and that the Secretary inform

the House of Representatives thereof, and ask their concurrence in the passage of said bill.

A message from the House of Representatives, by Mr. Strong, a member of the House of Representatives:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed bills of the following titles, to wit:

"An act to fix the times of holding courts in the counties of Christian, Logan and Menard."

"An act for the better security of mechanics and others, erecting buildings and furnishing materials for the same."

In the passage of which several bills I am directed to ask the concurrence of the Senate.

Mr. Killpatrick, from the committee on School Lands and Education, to which was referred the bill entitled "An act to empower the trustees of schools, in fractional township number one south, in range number twelve west, in Wabash county, to sell and convey certain real estate therein mentioned;"

"An act to provide for the security of a school fund of a township therein named;" and

"An act authorising trustees of schools in township 17 north, 1 west, to make sale of lands therein mentioned," also,

The bill from the House of Representatives entitled "An act for the benefit of schools of township eight north, of range six east, in Effingham county," reported the same back without amendment, and said committee were discharged from a further consideration of the same.

On motion of Mr. Killpatrick,

Said bills were severally laid on the table.

Mr. McMillan asked and obtained leave to withdraw the bill entitled "An act to provide for the security of the school fund of a township therein named."

A message from the House of Representatives, by Mr. Cloud, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with the Senate in the passage of bills of the following titles, viz:

"An act to perfect the apportionment of school funds to Will county;" and

"An act to authorise the acting canal commissioner to exchange certain lands with Jeremiah Crotty," the latter bill as amended by the House.

In which amendments I am directed to ask the concurrence of the Senate.

The House of Representatives have passed a bill for "An act to re-value school lands in Hancock county."

In the passage of which I am directed to ask the concurrence of the Senate.

Mr. Matteson, from the committee on Finance, to which was referred the bill from the House of Representatives entitled "An act to authorise the counties of Boone and Winnebago to levy certain taxes for county purposes," reported the same back without amendment; said bill was

Ordered to a third reading.

On motion of Mr. Matteson,

The rule was dispensed with, said bill read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Vandeventer, from the committee on Incorporations, to which was referred the bill from the House of Representatives entitled "An act to change the name of Coles and Erskine's addition to the town of Chester to that of Menard, and for other purposes;" reported the same back without amendment; said bill was

Ordered to a third reading.

Mr. Vandeventer, from the same committee, to which was referred the bill from the House of Representatives entitled "An act to incorporate the Lake Michigan Hydraulic Company," reported the same back without amendment; said bill was

Ordered to a third reading.

On motion of Mr. Ruggles,

The rule was dispensed with, said bill read a third time by its title and passed.

On motion of Mr. Vandeventer,

The vote just taken on the passage of said bill was reconsidered, and

On motion of Mr. Judd,

Said bill was re-committed to the committee on Incorporations.

Mr. Vandeventer, from the same committee, to which was referred a bill from the House of Representatives entitled "An act to amend an act, entitled 'An act authorising the erection of a bridge over Rock river, at Rockford,'" approved February 27th, 1843, reported the same back without amendment; said bill was

Ordered to a third reading.

Mr. Thompson, from the committee on School Lands and Education, to which was referred a bill from the House of Representatives entitled "An act to authorise the school commissioners of Tazewell and McLean counties, to pay over school moneys to the counties of Woodford and Mason," reported the same back with an amendment, which was concurred in; and said bill as amended, was

Ordered to a third reading.

On motion of Mr. Thompson,

The rule was dispensed with, said bill as amended, read a third time by its title and passed.

On motion of Mr. Thompson,

The title of said bill was so amended as to make it read "An act to authorise the school commissioners of Tazewell and Menard to pay over certain moneys."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendments to said bill and title.

Mr. G. Smith, from the select committee, to which was referred the bill from the House of Representatives entitled "An act to amend the charter of the city of Alton," reported the same back without amendment; said bill was

Ordered to a third reading.

On motion of Mr. G. Smith,

The rule was dispensed with, said bill read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Ruggles, from the select committee, to which was referred the bill from the House of Representatives entitled "An act for the relief of Amos Durbin," reported the same back with an amendment, which was concurred in; and said bill

Ordered to a third reading, as amended.

On motion of Mr. Ruggles,

The rule was dispensed with, said bill read a third time by its title and passed.

On motion of Mr. Ruggles,

The title was amended by adding the words "and Benjamin Van Etten."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendment to said bill and title.

The orders of the day:

The bill entitled "An act to encourage emigration to Oregon," was read a third time and passed.

On motion of Mr. Killpatrick,

The title of the bill was amended, by making it read as follows:

"An act supplemental to 'An act to establish and maintain common schools.' "

Ordered, That the title be as amended, and that the Secretary ask the concurrence of the House of Representatives in the passage of said bill.

Senate bills amended by the House of Representatives:

Bills entitled "An act appointing a collector of the unpaid taxes for 1842, in Lawrence county;"

"An act to authorise the acting canal commissioner to exchange certain lands with Jeremiah Crotty;" and

"An act to incorporate the town of Tentopolis, in the county of Effingham," were taken up, and the amendments made by the House of Representatives to the same, severally concurred in.

The bill entitled "An act to alter and amend the law concerning interest on money and usury," as amended by the House of Representatives by filling the blank in the last section with the word 'April,' and fixing that month as the time at which the said act shall take effect, was taken up; and the question being taken on concurring with the House of Representatives, in said amendment, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Catlin, Cavarly, Constable, Crain, Dunlap, Fithian, Forman, Harris, Johnson, Killpatrick, Leviston, Markley, McMillan, McMurtry, Morrison, Nunnally, Parker, Powers, Ruggles, Smith of Adams, Smith of Madison, Thompson Vandeventer, Warren, Waters, Webb, Wilbanks and Wynne—29.

Those voting in the negative, are,

Messrs. Boal, Buford, Davis, Edwards, Harrison, Henry, Judd, Miard, Ryan and Worthington—10.

Ordered, That the Secretary inform the House of Representatives thereof.

The resolution of the Senate, authorising the Governor to receive the interest bonds, hypothecated to McAlister & Stebbins, at twenty-six cents on the dollar, &c., as amended by the House of Representatives, and the question being taken on concurring in said amendment, it was decided in the negative.

Ordered, That the Secretary inform the House of Representatives thereof.

Bills from the House of Representatives entitled "An act to authorise the school commissioner of La Salle county to pay over certain money to townships 29 and 30 north, range one east of the 3d principal meridian;" and

"An act to authorise the school commissioner of Montgomery county to settle a certain demand," were severally read a third time and passed.

Ordered, That the titles of said bills be as aforesaid, and that the Secretary inform the House of Representatives of the concurrence of the Senate in their passage.

The bill from the House of Representatives entitled "An act to create a justice of the peace and constable in the town of Plymouth, in Hancock county," was read a third time, and

On motion of Mr. Davis,

Referred to the committee on the Judiciary.

On motion of Mr. Warren,

The order of business was suspended, and the bill from the House of Representatives entitled "An act making appropriations for the pay and expenses of the Illinois militia, called into service by the commander-in-chief, during the year 1844," was taken up, read, and

Ordered to a second reading.

On motion of Mr. Warren,

The rule was dispensed with, said bill read a second time by its title and

Referred to the committee on Military Affairs.

The question pending at the last adjournment being upon ordering to a third reading the bill from the House of Representatives entitled "An act to provide for the payment of a portion of the interest on the State debt," the same came up for consideration.

Mr. Edwards moved that the bill be amended, by striking out all after the enacting clause, and adding in lieu of the part stricken out the following:

"That the Governor of this State is hereby authorised and empowered to offer to the subscribers to the loan authorised to be negotiated under the act to which this is an amendment, approved 21st February, 1843, all the right, title and interest, which the State of Illinois has in and to the Canal, Canal lands, with all the hereditaments thereunto belonging, and all the right, title and interest, which the State has in and to all the Railroads with all the appurtenances or hereditaments thereunto belonging, and also all the lands and lots belonging to the State of Illinois, granted by the general government to aid in the construction of said canal, and the lands acquired by the State of Illinois under the act of the general government; and also, the lands entered by the State under the act entitled

"An act to establish and maintain a general system of Internal improvement," together with all the debts due the State for any of the property above described, upon condition that said subscribers shall deliver to the Governor one-half the State indebtedness, within six months after the passage of this act, and agree to deliver the other half within ten years thereafter; and on making the first payment, as aforesaid, the Governor is directed to convey in fee simple, all the right, title and interest which the State has in and to the property above described, to the trustees authorised to be appointed, under the act to which this is an amendment, for the use of said subscribers, retaining a lien on the same as security for the returning of the full amount of said State indebtedness.

SEC. 2d. In addition to property described in the first section of this act upon the said subscribers making the first payment of one-half of said State indebtedness, the Governor is authorised and directed to issue and deliver to said subscribers three and one-half millions of dollars in State bonds or certificates of stock bearing six per cent. interest per annum, the interest to be paid annually at such points as may be agreed on, and the principal to be reimbursed within eighteen years.

SEC. 3d. The State hereby engages and agrees so provide sufficient revenues and means to pay the interest and principal of said three and one-half millions, as the same becomes due and payable, for the payment of which the faith of the State is hereby irrevocably pledged to comply with the provisions of this act; and as a further security for the faithful compliance with the agreement aforesaid, if desired by said subscribers, the Governor is authorised to call a special election with a view of having this act ratified and confirmed by the people; and on the default of making any payment as aforesaid, within six months after the same becomes due and payable, the State hereby forfeits any right or claim to the second payment of said State indebtedness as aforesaid, and the conveyance directed to be made in the first section of this act shall be absolute.

SEC. 4th. If within a reasonable time, after the expiration of six months, to be determined by the Governor, the subscribers to the loan as aforesaid, shall not agree to comply with the provisions of this act, then and in that event, any other person or persons, body politic or corporate, shall be entitled to make the payments and enter into the agreement aforesaid, and it shall be the duty of the Governor to confer upon said person or persons, or body politic, or corporate all the right, title and interest authorised in this act to be granted said subscribers.

SEC. 5th. The board of trustees of the Illinois and Michigan canal shall allow any bondholder or bondholders to become subscribers to the stock of the company within five years on producing a certificate of the Governor that said bondholder has surrendered to the State amount of bonds, stating in the said certificate the amount surrendered, and said bondholder shall be entitled to his proportional amount of stock.

SEC. 6th. The said subscribers shall be required to complete the canal within years and may have three years to decide whether they will complete any or all of the railroads in this State, and shall have all the powers to carry on the same as is provided in the act and the supplements for the construction of a railroad from Springfield to Alton; and the said board of trustees is hereby authorised to open books for any ad-

ditional amount of stock not exceeding ten millions at such times and in such instalments as said board of trustees may decide.

Sec. 7th. The State hereby reserves the right to purchase said canal or any of the railroads after the expiration of twenty-five years by paying the full amount of bonds, estimating the same at par with interest on the amount of principal and interest from the time of surrender to the Governor, together with the amount of additional expenditure with interest on the same at the rate of six per cent. per annum, deducting therefrom the three and one-half millions and the amount of proceeds said company may derive from the sale of the canal lands or rights acquired from the same with interest at the same rate.

Sec. 8th. The trustees shall be appointed and discharge the duties as is provided in the act to which this is an amendment.

Sec. 9th. If the Governor shall succeed in effecting a compromise upon the terms authorised in this act, he shall issue his proclamation requiring the collectors to proceed and collect two mills additional tax on each dollar's valuation of property assessed for each year, in gold and silver and pay the same into the State Treasury; which fund shall be set apart, sacredly held for the payment of the interest on the three and one-half million dollar bonds, authorised to be issued under the provisions of the act; and the Governor shall apply the same to the payment of the interest on said bonds, as the same becomes due; and if any of the officers of the government, shall use or divert any part of said fund, for any purpose whatever, he shall be guilty of embezzlement and liable to be indicted; and upon conviction, shall be sentenced to the penitentiary, for a term not less than ten years.

Sec. 10th. If the provisions of this act shall not be accepted, there shall be levied and collected one mill additional tax on each dollar's valuation of property; which shall be collected and set apart, as is provided in the above section, to be applied by the Governor to the payment of interest *pro rata* on the Internal Improvement bonds."

Mr. Markley moved that the amendment be laid on the table until the 4th of July next.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Wynne,

The order of business was suspended, and the bill from the House of Representatives entitled "An act to fix the times of holding courts in the counties of Christian, Logan and Menard," taken up, read, and ordered to a second reading, and the rule having been dispensed with, the same was read a second time by its title, and ordered to a third reading; and the rule, on motion, having been further dispensed with, said bill was read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the concurrence of the Senate.

Mr. Parker, from the committee on Enrolled Bills, reported as correctly enrolled bills of the following titles:

"An act for the relief of the heirs of George Finney, deceased;"

"An act for the relief of Thomas Nicholas;"

"An act for the relief of the securities of Thomas Hayden, deceased;"

"An act for the relief of the heirs of Tyler D. Hewitt, deceased, and to adjust the claims of the State of Illinois against said Hewitt, as former commissioner of Saline lands in Gallatin county;"

And that the same have been laid before the Council of Revision.

The question pending at the last adjournment, being upon the motion to lay on the table until the 4th of July next, the amendment offered by Mr. Edwards to the bill from the House of Representatives entitled "An act to provide for the payment of a portion of the interest on the State debt," that question was put and decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Cavarly, Crain, Davis, Dougherty, Dunlap, Harris, Harrison, Henry, Judd, Killpatrick, Markley, Matteson, McMillan, McMurtry, Minard, Powers, Ruggles, Ryan, Smith of Adams, Smith of Madison, Thompson, Vandeventer and Wynne—25.

Those voting in the negative, are,

Messrs. Allen, Catlin, Constable, Edwards, Fithian, Forman, Johnson, Leviston, Morrison, Nunnally, Parker, Warren, Waters, Webb, Wilbanks and Worthington—16.

Mr. Dougherty also moved to amend said bill by striking out the first section, and inserting in lieu thereof, the following:

"That there shall be levied for the year 1845, and forever thereafter annually, ten cents additional tax upon each hundred dollar's worth of property, so that hereafter, there shall be levied and collected for State purposes, thirty cents on each hundred dollar's worth of property, until otherwise provided by law, to be applied as hereinafter provided."

On motion of Mr. McMurtry,

Said amendment was laid on the table until the 4th of July next.

Mr. Parker moved to amend said bill by adding the following as a proviso:

"*Provided*, That the Governor shall not be authorised to enter into any contract agreeably to the provisions of this act with the bondholders or other persons, unless the subscribers shall first bind themselves to pay the whole amount of the debt which has or may accrue in consequence of the canal, and to release the State from all liability in consequence of said debt; provided further, that if stock shall not be taken agreeably to the provisions of this act, then the additional revenue which is provided to be raised by the provisions of this bill, after paying the current expenses of the State, shall be applied to the payment of the interest on the school fund."

Mr. McMurtry moved to lay said amendment on the table until the 4th of July next; which was decided in the affirmative.

A message from the Council of Revision, by Mr. Hawley, their Secretary:

Mr. Speaker: I am directed to say that the Council of Revision has approved bills of the following titles, to wit:

"An act for the relief of the securities of Thomas Hayden;"

"An act for the relief of Thomas A. Nicholas;"

“An act for the relief of the heirs of George Finney, deceased;”

“An act authorising certain persons holding property in trust for the use of the Catholic church and societies thereof, in the State of Illinois to convey the same;”

“An act for the relief of the heirs of Tyler D. Hewitt, deceased, and to adjust the claims of the State of Illinois against said Hewitt, as former commissioner of Saline lands in Gallatin county.”

Mr. Constable moved to amend the bill by adding thereto the following:

“Sec. 10. That the judges of the election in every voting district, or precinct in every county in this State, on the first Monday in August next, say 1845, shall open a poll book, or separate columns in a poll book, in which they shall mark down the votes of every voter who shall vote for or against the levying and collecting the extra tax of one mill upon every dollar's worth of taxable property in this State, as provided for in this act; and the clerks of the county commissioner's courts of the several counties in this State, shall forward in the usual manner to the Governor of this State, exact returns of the whole number of votes so given, for or against said tax, in their respective counties; and the Governor of this State shall, in the usual manner, open said election returns, from all the counties in this State, and publish in the State Register and the Sangamo Journal, the exact number of votes given for and against the levying and collecting said taxes; and if a majority of all the votes then given shall be in favor of said tax, then this act shall be in full force, virtue and effect; and if a majority of all the votes so given shall be against said tax then this act shall be null and void, and of no effect.”

Mr. McMurtry moved that the additional section, just proposed, be laid on the table; and the question being taken thereon, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Cavarly, Harrison, Henry, Judd, Killpatrick, Markley, Matteson, McMillan, McMurtry, Minard, Powers, Ruggles, Ryan, Smith of Adams, Thompson, Vandeventer and Worthington—19.

Those voting in the negative, are,

Messrs. Allen, Catlin, Constable, Crain, Davis, Dougherty, Dunlap, Edwards, Fithian, Forman, Harris, Johnson, Leviston, Morrison, Nunnally, Parker, Smith of Madison, Warren, Webb, Wilbanks and Wynne—21.

Mr. McMurtry moved that the additional section be laid on the table until the 4th of July next; and the question being taken thereon, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Cavarly, Dunlap, Harrison, Henry, Judd, Killpatrick, Markley, Matteson, McMillan, McMurtry, Minard, Powers, Ruggles, Ryan, Smith of Adams, Thompson, Vandeventer, Worthington and Wynne—21.

Those voting in the negative, are,

Messrs. Allen, Catlin, Constable, Crain, Davis, Dougherty, Edwards, Fithian, Forman, Harris, Johnson, Leviston, Morrison, Nunnally, Parker, Smith of Madison, Warren, Waters, Webb and Wilbanks—20.

Mr. Dougherty moved to amend the first section of said bill by adding the following:

"The third section of "An act to provide for the payment of interest on the public debt," in force February 27, 1841, be and the same is hereby repealed, and hereafter lands shall be taxed according to their true valuation, any law to the contrary notwithstanding."

Mr. Markley moved to lay the proposed amendment on the table until the 4th of July next; which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Cavarly, Dunlap, Edwards, Fithian, Harris, Harrison, Henry, Judd, Killpatrick, Markley, Matteson, McMillan, McMurtry, Minard, Powers, Ruggles, Ryan, Smith of Adams, Smith of Madison, Thompson, Vandeventer, Wilbanks and Wynne—25.

Those voting in the negative, are,

Messrs. Allen, Catlin, Constable, Crain, Davis, Dougherty, Forman, Johnson, Leviston, Morrison, Nunnally, Parker, Warren, Waters, Webb and Worthington—16.

Mr. Worthington moved that the bill be amended, by striking out the 7th section, and inserting in lieu thereof, the following:

"After the completion of said canal, the trustees shall make annual dividends of the money which may come into their hands from the assets, tolls, revenues and lands granted to the trustees, after payment of incidental expenses in the following order: First, the payment in full of principal and interest of the amount necessary to complete the canal; second, interest on bonds held by subscribers to the loan, as shown by the registry with the Governor; third, interest shall next be paid on canal bonds held by non-subscribers to the loan; and fourth, interest on other evidences of State indebtedness; and when the receipts from the canal shall be sufficient to pay interest, on all evidences of State indebtedness, then the principal of the bonds held by the subscribers to the loan, still paying interest as above; and lastly the principal *pro rata*, upon all other evidences of State indebtedness.

SEC.—And this trust shall cease whenever the State may choose to pay the principal and interest on the sum advanced to complete the canal, pledging the assets of the canal to pay interest and principal, as provided in the foregoing section."

Mr. Edwards moved the previous question; and the question being taken: "Shall the main question be now put?" It was decided in the affirmative.

The question being taken on the adoption of the amendment offered by Mr. Worthington, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Catlin, Constable, Crain, Davis, Dougherty, Dunlap, Forman, Harrison, Johnson, Leviston, Morrison, Nunnally, Parker, Warren, Waters, Webb, Wilbanks and Worthington—19.

Those voting in the negative, are,

Messrs. Boal, Buford, Cavarly, Edwards, Fithian, Harris, Henry, Judd, Killpatrick, Markley, Matteson, McMillan, McMurtry, Minard, Powers,

Ruggles, Ryan, Smith of Adams, Smith of Madison, Thompson, Vandeventer and Wynne—22.

The question then being taken on ordering the bill to a third reading, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Cavarly, Harrison, Henry, Judd, Killpatrick, Markley, Matteson, McMillan, McMurtry, Minard, Powers, Ruggles, Ryan, Smith of Adams, Thompson, Vandeventer and Wynne—19.

Those voting in the negative, are,

Messrs. Allen, Catlin, Constable, Crain, Davis, Dougherty, Dunlap, Edwards, Fithian, Fornian, Harris, Johnson, Leviston, Morrison, Nunnally, Parker, Smith of Madison, Warren, Waters, Webb, Wilbanks and Worthington—22.

Mr. Constable moved that the vote last given be re-considered.

On motion,

The Senate adjourned.

WEDNESDAY, FEBRUARY 26, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Bergen.

On motion of Mr. Edwards,

The order of business was suspended, and the bill contained in the message from the House of Representatives entitled "An act for the settlement of the accounts of James Shepherd, late collector of Sangamon county," was taken up, read, and

Ordered to a second reading.

On motion of Mr. Edwards,

The rule was dispensed with, said bill read a second time by its title, and

On motion of Mr. Matteson,

Said bill was referred to the committee on Finance.

Mr. Wynne, from the committee on Enrolled Bills, reported as correctly enrolled, bills of the following titles:

"An act to alter and amend the law concerning interest on money and usury;"

"An act to establish and maintain common schools;"

"An act appointing a collector of the unpaid taxes for 1842, in Lawrence county;"

"An act to authorize the acting canal commissioner to exchange certain lands with Jeremiah Crotty;"

"An act to perfect the apportionment of school funds to Will county;"

"Chapter 59 of the Revised Statutes, title 'justices of the peace and constables,'" and have laid the same before the Council of Revision.

Mr. Warren, from the committee on Military Affairs, to which was referred the bill from the House of Representatives entitled "An act making appropriations for the pay and expenses of the Illinois Militia, called into service by the commander-in-chief, during the year 1844," reported the same back without amendment, and recommended its passage, said bill was

Ordered to a third reading.

Mr. Warren moved to dispense with the rule, and that said bill be now read a third time; which was not agreed to.

Mr. Cavarly, from the committee on the Judiciary, to which was referred the bill from the House of Representatives entitled "An act to create a justice of the peace and constable in the town of Plymouth, in Hancock county," reported the same back without amendment.

A message from the House of Representatives, by Mr. Lott, a member of the House:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have refused to concur with the Senate in their amendments to the bill for "An act to legalize the sale of school lands in Adams county."

Mr. Vandeventer, from the committee on Incorporations, to which was referred a bill from the House of Representatives entitled "An act to incorporate the Lake Michigan Hydraulic company," reported the same back with an amendment; which was concurred in, and said bill as amended, was read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendment to said bill.

Mr. Wynne, from the select committee, to which was referred the bill from the House of Representatives entitled "An act to enable Joseph Adkins to keep a ferry across the Sangamon river," reported the same back with an amendment; which was concurred in, and said bill as amended,

Ordered to a third reading.

On motion of Mr. Wynne,

The rule of the Senate was dispensed with, said bill read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendments to said bill.

A message from the House of Representatives, by Mr. Henderson, a member of the House:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed a bill entitled "An act to amend an act to change the time of holding courts in the fifth judicial circuit; in which I am directed to ask the concurrence of the Senate.

Mr. Judd, from the select committee, to which was referred the bill entitled "An act to regulate the times of holding courts in the 6th, 7th and 9th judicial circuits," reported the same back with an amendment; which was concurred in, and said bill as amended,

Ordered to be engrossed for a third reading.

On motion of Mr. Judd,

The rule was dispensed with, said bill read a third time by its title and passed.

On motion of Mr. Judd,

The title was so amended as to make it read "An act to fix the times of holding courts in the seventh and ninth judicial circuits."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

A message from the Governor, by Thompson Campbell, Esq., Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a written communication.

A message from the House of Representatives:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in the passage of bills of the following titles, viz:

"An act to amend an act entitled 'An act to prevent the unlawful driving away of cattle and other stock, by drovers and other persons,' " approved February 3, 1841;

"An act to amend an act entitled 'An act to incorporate the city of Springfield;'"

"An act for the benefit of D. Kyle Stephenson;"

"An act authorizing certain lands to be flooded;"

"An act to establish a State road from Columbiana on the Illinois river to John Andrew's cabinet shop, on the State road leading from Carrollton to Newport;"

"An act in relation to the acts of the clerk of the county commissioner's court of Cumberland county;"

"An act in relation to the election of county officers;"

"An act directing the collection of debts due the State, on account of the Gallatin Salines;"

"An act to amend an act entitled 'An act providing for the binding the laws and journals,' " approved January 31, 1840;

"An act enabling Joseph A. Phelps to keep a ferry across the east channel of the Illinois river, opposite Grand Island;"

"An act to authorize William Forrester and Abraham Howell to build a mill-dam across the Kaskaskia river;"

"An act to amend an act entitled 'An act to incorporate the Rock river bridge company,' " approved March 3, 1843;

"An act to establish the times of holding circuit courts in the first judicial circuit;"

"An act for the relief of Wilson Rea and John Golden;"

"An act for the relief of Mary S. Curtin;"

"An act to establish a ferry across the Illinois river, in La Salle county;"

"An act to establish a ferry across the Mississippi river."

The House have also concurred with the Senate in the passage of bills of the following titles, viz:

"An act for the relief of Thomas S. Brockman, late collector of Brown county, and securities;" and

"An act to vacate parts of certain town-plats therein named."

The two last bills as amended by the House, in which amendments they ask the concurrence of the Senate.

The House of Representatives have refused to pass the Senate bill for "An act for the relief of Henry Castor and others."

They have laid upon the table, a Senate bill for "An act authorizing the trustees of schools in township seven north, range twelve west, in Jersey county, to revalue school lands, and for other purposes."

The House of Representatives have concurred with the Senate in the

adoption of their preamble and resolution upon the occupancy of Oregon; and have receded from their amendment to the Senate resolution relative to the McAlister and Stebbins bonds.

The House of Representatives have concurred with the Senate in their amendments to the House bill for "An act declaring a certain road in Scott county a State road."

The House of Representatives have passed bills of the following titles, viz:

"An act to locate a State road from Mt. Sterling in Brown county to Griggsville in Pike county;"

"An act to incorporate the Aurora and Chicago Plank Road Company;"

"An act to adjust the lease and claims of S. M. Tinsley & Co., on the Northern Cross railroad."

In the passage of which several bills they ask the concurrence of the Senate.

The orders of the day were taken up:

And the question recurring on the question pending at the time of adjournment on yesterday, which was on the motion, to reconsider the vote on ordering to a third reading the bill from the House of Representatives entitled "An act to provide for paying a portion of the interest on the State debt."

Mr. Constable withdrew his motion to reconsider; which motion was renewed by Mr. Worthington.

Mr. Parker moved a call of the Senate.

Mr. Catlin, on leave, during the pendency of the call, from the select committee, to which was referred the bill from the House of Representatives entitled "An act to authorize St. Clair county to establish a ferry across the Mississippi river," reported the same back with an amendment.

On motion of Mr. Judd,

The call of the Senate was dispensed with.

The question then being taken on reconsidering the vote by which the Senate on yesterday refused to order to a third reading, the bill from the House of Representatives entitled "An act to provide for paying a portion of the interest on the State debt;" it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Cavarly, Fithian, Harris, Harrison, Henry, Johnson, Judd, Killpatrick, Markley, Matteson, McMillan, McMurtry, Minard, Powers, Ruggles, Ryan, Smith of Adams, Thompson, Vandeventer, Worthington and Wyne—23.

Those voting in the negative, are,

Messrs. Allen, Catlin, Constable, Crain, Davis, Dougherty, Edwards, Forman, Leviston, Morrison, Nunnally, Parker, Smith of Madison, Warren, Waters, Webb and Wilbanks—17.

Mr. Judd moved that the vote taken on the amendment to said bill proposed by Mr. Worthington, be reconsidered.

And the question being taken thereon, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Cavarly, Dougherty, Edwards, Fithian, Harris, Harrison, Henry, Johnson, Judd, Killpatrick, Markley, Matteson, McMillan, McMurtry, Minard, Nunnally, Powers, Ruggles, Ryan, Smith of Adams, Smith of Madison, Thompson, Vandeventer, Warren, Webb, Worthington and Wynne—29.

Those voting in the negative, are,

Messrs. Allen, Catlin, Constable, Crain, Davis, Forman, Leviston, Morrison, Parker, Waters and Wilbanks—11.

Mr. Edwards moved that the vote ordering the main question to be put, be re-considered.

And the question being taken thereon, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Cavarly, Dougherty, Dunlap, Edwards, Fithian, Harris, Harrison, Henry, Johnson, Judd, Killpatrick, Markley, Matteson, McMillan, McMurtry, Minard, Powers, Ruggles, Ryan, Smith of Adams, Thompson, Vandeventer, Worthington and Wynne—26.

Those voting in the negative, are,

Messrs. Allen, Catlin, Constable, Crain, Davis, Forman, Leviston, Morrison, Nunnally, Parker, Smith of Madison, Warren, Waters, Webb and Wilbanks—15.

Mr. Edwards withdrew the motion for the previous question.

On motion of Mr. McMurtry.

Said bill and amendment were referred to a select committee of five.

Ordered, That Messrs. McMurtry, Worthington, Judd, Ryan and Dunlap be that committee.

The question recurring upon concurring with the select committee in the amendment reported by them to the bill entitled "An act to amend 'An act to authorize St. Clair county to establish a ferry across the Mississippi river,' " before the Senate; when the call of the Senate was dispensed with, that question was put, and decided in the affirmative, and the bill as amended passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendment to said bill.

Bills from the House of Representatives on their third reading.

The bills entitled "An act to change the name of Coles and Erskine's addition to the town of Chester to that of Menard, and for other purposes;"

"An act to amend an act entitled "An act authorizing the erection of a bridge over Rock river, at Rockford," approved February 27, 1843; and

"An act to create a justice of the peace and constable in the town of Plymouth, in Hancock county," were severally read a third time and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill entitled "An act making appropriations for the pay and expenses of the Illinois militia, called into service by the commander in chief during the year 1844," was read a third time.

Mr. Vandeventer moved to amend the bill by inserting the following:

"Also, \$168 85 to Capt. Nathan Stephenson, of Schuyler county, and

the Company under his command for services rendered the State in a military capacity in June last by order of the Governor, to be paid according to rank."

Mr. Markley moved to refer said bill and proposed amendment to the Committee on Finance; which was not agreed to.

On motion of Mr. Buford,

The proposed amendment was laid on the table.

The question then being taken on the passage of said bill, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Cavarly, Davis, Edwards, Fithian, Harris, Harrison, Henry, Johnson, Judd, Killpatrick, Leviston, Matteson, Minard, Morrison, Powers, Ruggles, Ryan, Smith of Adams, Vandeventer, Warren, Webb, Worthington and Wynne—25.

Those voting in the negative, are,

Messrs. Allen, Catlin, Crain, Dunlap, Markley, McMurtry, Nunnally Parker, Smith of Madison, Thompson and Waters—11.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Bills from the House of Representatives on their second reading.

The bill entitled "An act to authorize the county commissioner's of Putnam and Bureau counties to lease the ferry at Hennepin, and other purposes," was read a second time, and

Ordered to a third reading.

On motion of Mr. Thompson,

The rule was dispensed with, said bill read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill entitled "An act to provide for the election of certain officers therein named, and to fix the tenure of their offices," was read a second time, and

On motion of Mr. McMurtry,

Referred to a select committee.

Ordered, That Messrs. McMurtry, Cavarly and Vandeventer be that committee.

The bill from the House of Representatives entitled "An act to regulate the fees, salaries, and compensation of the several officers and persons therein mentioned, was read, and

Ordered to a second reading.

On motion of Mr. Matteson,

The rule was dispensed with, said bill was read a second time by its title.

Mr. Edwards moved that the bill be amended by adding thereto the following:

"Sec — The fees of the sheriffs, clerk of the Supreme court, clerks of the county commissioner's courts, clerks of the circuit courts, probate justices of the peace and county recorders shall be hereafter reduced twenty-five per cent. on each item now allowed by law."

Mr. Forman moved that the bill and amendment be referred to the committee on Retrenchment.

Mr. Henry moved that the motion to refer be so amended as to make it one to refer to said committee with instructions: "that the committee be instructed to reduce the fees at the rate of twenty-five per cent., commencing at the judge of probate."

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Davis,

The order of business was suspended, and the bill contained in the message from the House of Representatives as amended by the Senate in which the House refused to concur, entitled "An act to legalize the sale of school lands in Adams county," was taken up.

Mr. Davis moved that the Senate recede from the amendments to said bill; which was not agreed to.

Mr. J. Smith moved that a committee of conference be appointed on the disagreeing vote of the two Houses on the amendment to said bill; which was agreed to.

Ordered, That Messrs. J. Smith and Davis be that committee, and that the Secretary inform the House of Representatives thereof.

A message from the Council of Revision, by Mr. Hawley, their Secretary:

Mr. Speaker: I am directed to say that the Council of Revision has approved bills of the following titles, to wit:

"An act appointing a collector of the unpaid taxes for 1842, in Lawrence county;"

"An act to perfect the apportionment of school funds to Will county;"

"An act to authorise the acting canal commissioner to exchange certain lands with Jeremiah Crotty."

A message from the House of Representatives, by Mr. Davis of McLean, a member of the House.

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in the passage of a bill for "An act to amend an act, entitled 'An act to amend the several acts in relation to common schools,' passed March 4, 1837, as amended by the House of Representatives.

Also, in the passage of a bill for "An act supplemental to 'An act to reduce the public debt one million of dollars and to put the bank of Illinois into liquidation,'" as amended by the House of Representatives.

In which amendments they ask the concurrence of the Senate.

On motion of Mr. Vandeventer,

The order of business was suspended, and the bill from the House of Representatives entitled "An act for the benefit of schools of township eight north, of range six east, in Effingham county," taken from the table and referred to a select committee.

Ordered, That Messrs. Vandeventer, McMurtry and Warren be that committee.

The question recurring on the question pending at the time of adjournment, which was upon referring to the committee on Retrenchment with

instructions entitled "An act to regulate the fees, salaries and compensation of the several officers and persons therein mentioned," with the proposed amendment thereto.

Mr. Henry withdrew the proposed instructions.

And the question then being taken on the motion to refer said bill to the committee on Retrenchment, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Buford, Cavarly, Davis, Dunlap, Forman, Harrison, Judd, Matteson, McMurtry, Minard, Morrison, Ruggles, Ryan, Smith of Adams, Vandeventer, Warren, Webb and Wynne—19.

Those voting in the negative, are,

Messrs. Boal, Catlin, Crain, Edwards, Fithian, Harris, Henry, Johnson, Killpatrick, Leviston, Markley, McMillan, Nunnally, Parker, Powers, Smith of Madison, Thompson, Waters, Wilbanks and Worthington—20.

A message from the House of Representatives, by Mr. Lott, a member of the House:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have complied with the request of the Senate, and have appointed Messrs. Lott, Janney and Nye the committee of conference on the part of the House, on the disagreeing vote of the two Houses on the Senate amendments to the House bill for "An act to legalize the sale of school lands in Adams county."

On motion of Mr. Killpatrick,

The vote just taken on referring said bill to the committee on Retrenchment, together with the proposed amendment, was re-considered.

And the question of reference again being taken, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Buford, Cavarly, Constable, Davis, Dunlap, Forman, Harrison, Judd, Killpatrick, Matteson, McMurtry, Minard, Morrison, Ruggles, Ryan, Smith of Adams, Thompson, Vandeventer, Warren, Webb, Wilbanks and Wynne—23.

Those voting in the negative, are,

Messrs. Boal, Catlin, Crain, Edwards, Fithian, Harris, Henry, Johnson, Leviston, Markley, McMillan, Nunnally, Parker, Powers, Smith of Madison, Waters and Worthington—17.

A message from the House of Representatives, by Mr. Deskines, a Representative:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed a bill for "An act for the location of certain State roads therein named, and for the vacation of other State roads."

In the passage of which I am directed to ask the concurrence of the Senate.

The bill entitled "An act for the relief of the infant heirs of John Norris, deceased," was read, and

Ordered to a second reading.

On motion of Mr. Edwards,

The rule was dispensed with, said bill read a second time by its title and

Ordered to a third reading.

On motion of Mr. Edwards,

The rule was further dispensed with, said bill read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill entitled "An act to lease the Penitentiary," was read, and

Ordered to a second reading.

On motion of Mr. Nunnally,

The rule was dispensed with, and said bill read a second time by its title.

Mr. McMurtry moved to amend the bill by striking out all after the enacting clause, and inserting as follows:

"That the penitentiary of the State of Illinois, located at Alton, in the county of Madison and State of Illinois, together with all and singular the hereditaments and appurtenances thereunto belonging, or in any wise appertaining, and the labor of the convicts now in, or hereafter to be confined therein, shall be and the same are hereby leased and granted to Nathaniel Buckmaster, upon the following terms and conditions, to wit: 1st. The said lease herein authorised and granted, shall take effect, and the term thereof commence from and after the tenth day of June, A. D. 1845, and shall continue to the said Nathaniel Buckmaster his executors, administrators and assigns, for a period of six years from the commencement of the same, and until the tenth day of June, A. D., 1851, unless sooner avoided for reasons specified in this act.

2d. The said lessee shall pay annually into the Treasury of the State a bonus of seven thousand three hundred and thirty-three dollars and thirty-three and one-third cents, which said bonus shall be paid in gold, silver or Auditor's Warrants. The first payment of seven thousand three hundred and thirty-three dollars and thirty-three and a third cents, to be made on the tenth day of June, A. D. 1846, and a like sum of seven thousand three hundred and thirty-three dollars and thirty-three and a third cents per annum, on the tenth day of June of every year thereafter, during the continuance of said lease, and until the entire rent herein stipulated for and reserved shall have been fully paid.

3d. The said lessee, in addition to the bonus hereinbefore prescribed, shall pay the usual fees of the inspectors, shall furnish at his own expense the necessary guards, shall feed and clothe the convicts, and furnish all necessary beds and bedding for the cells; and all necessary bills of physicians; and shall save the State harmless from all expense by reason of any of the items specified in this article.

4th. The said lessee shall enter into bond conditioned to abide by and comply with all the provisions of this act, so far as shall apply to the duties to be performed by the said lessee, which bond shall be made to the people of the State of Illinois, in the penal sum of forty-four thousand dollars with such security as shall be approved by the circuit court of Madison county, which said bond shall be executed and approved on or before the sixth day of the next term of said circuit court; and shall be filed with the Secretary of State, and which shall be renewable every two years or oftener, if in the opinion of the inspectors, the security become insufficient to secure the interests of the State with such securities, as shall be approved

by the said court or the judge thereof, in vacation, as the case may require, which bonds of renewal shall also be filed with the Secretary of State.

SEC. 5. The said lessee, his executors, administrators, or assigns, shall be bound by all the provisions of this act, and if at any time for the period of thirty days after the same shall become due and payable, the yearly bonus, as herein provided, shall remain unpaid, or the said lessee shall fail to comply with any of its substantial provisions, the lease hereby granted, shall thereupon become forfeited; Provided, that the said lessee and his securities shall not be released from the amount of any bonus due at the time that the said penitentiary shall be resumed by the State, by reason of said forfeiture, nor from any loss that may accrue to the State upon a re-letting of the same.

SEC. 6. That no improvements upon the penitentiary shall be made by the said lessee, unless the same shall be recommended by the inspectors of the said penitentiary, and which shall be approved of by the Judge of the circuit court of Madison county, or in his absence by the Governor of this State, and when so approved and the improvements completed, the same shall be valued by three disinterested mechanics, one to be appointed by the lessee, and one by the judge of said court, which two shall select a third, who or a majority of them after being duly sworn faithfully to value the same, shall proceed to value the said improvements at their cash value, and shall report the same to the next term of the said circuit court, and if the valuation shall be approved by said court, the inspectors shall draw their order upon the Treasury of the State for the amount thus allowed, and which shall be deducted from the next annual bonus becoming due from the said lessee to the State.

SEC. 7. The said Nathaniel Buckmaster, by virtue of this act shall be warden of the said penitentiary, and shall take an oath and possess all the rights and perform all the duties of warden of said penitentiary, as is now provided by law, and all laws coming within the purview of this act respecting the powers of the inspectors and the police and management of the said penitentiary; and such other laws not inconsistent with the terms of this act as the Legislature may from time to time prescribe for the welfare and reformation of the convicts, shall be in force and binding upon the said warden and lessee.

SEC. 8. All laws or parts of laws coming within the purview of this act, and all laws that authorise the inspectors of the penitentiary to lease the same and appropriate the proceeds of said lease to any purpose, are hereby repealed.

This act shall be in force from and after its passage."

Mr. McMurtry moved that the bill and amendment be referred to the committee on Finance.

Mr. Catlin moved that the amendment be laid on the table; and the question being taken on his motion, it was decided by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Catlin, Constable, Davis, Edwards, Forman, Harrison, Henry, Johnson, Killpatrick, Nunnally, Powers, Ruggles, Smith of Adams, Smith of Madison, Thompson, Webb, Wilbanks, Worthington and Wynne—20.

Those voting in the negative, are,

Messrs. Allen, Buford, Cavarly, Crain, Dunlap, Fithian, Harris, Judd, Leviston, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Parker, Ryan, Vandeventer, Warren and Waters—20.

There being a tie, Mr. Speaker voted in the negative; so the motion to lay on the table was lost.

Mr. G. Smith moved that the bill and amendment be referred to the committee on the Penitentiary.

Mr. Constable moved that the motion first made to refer the bill and amendment to the committee on Finance, be so amended as to make it a motion to refer to said last named committee with instructions, "to receive any new bid or proposal for leasing the penitentiary, from any other person or persons, who may offer them, and report on that most advantageous in its provisions for the State."

Mr. Davis moved that the motion to refer to the committee on Finance, and instructions be laid on the table.

Mr. Allen called for a division of the question.

The question being then first taken on laying the instructions on the table, it was decided in the affirmative.

The question being taken on that part of the motion, proposing that the motion to refer be laid on the table, it was decided, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Catlin, Cavarly, Constable, Davis, Edwards, Fithian, Forman, Henry, Johnson, Nunnally, Parker, Powers, Ruggles, Smith of Adams, Smith of Madison, Webb, Wilbanks, Worthington and Wynne—20.

Those voting in the negative, are,

Messrs. Allen, Buford, Crain, Dunlap, Harris, Harrison, Judd, Killpatrick, Leviston, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Ryan, Thompson, Vandeventer, Warren and Waters—20.

There being a tie, Mr. Speaker voted in the negative; so the motion to lay the motion to refer to the committee on Finance on the table was lost.

Mr. Constable moved that the amendment be laid on the table until the 4th of July next.

On motion,

The Senate adjourned.

THURSDAY, FEBRUARY 27, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Dresser.

Mr. Harris, from the select committee, to which was referred the bill entitled "An act to allow any person the privilege of obtaining justice," reported the same back with an amendment.

On motion of Mr. Constable,

Said bill and amendment were referred to the committee on the Judiciary.

Mr. J. Smith, from the committee of conference on the disagreeing vote of the two Houses, on the amendment to the bill from the House of Representatives entitled "An act to legalize the sale of school lands in Adams

county," made a report substituting an amendment in lieu of the amendment of the Senate; which was concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. McMurtry, from the select committee, to which was referred the bill entitled "An act to provide for paying a portion of the interest on the State debt," reported the same back with an amendment.

Mr. Constable moved a call of the Senate.

During the pendency of the call, Mr. Cavarly, from the select committee, appointed to confer with the Council of Revision in relation to the revision of the laws, made the following report:

That the committee repaired to the room of the Council of Revision, and consulted with them as to the manner in which the chapters of the revised code have been engrossed, received for answer, that the engrossed chapters which had been laid before them were engrossed sufficiently for all purposes, and met their approbation.

Mr. Cavarly, from the joint Judiciary committee of the two Houses, reported chapter 81 of the Revised Statutes; which was read, and

Ordered to a second reading.

On motion of Mr. Cavarly,

The rule was dispensed with, said chapter read the second time by its title, and

Ordered to a third reading.

On motion of Mr. Cavarly,

The rule was further dispensed with, said chapter read a third time by its title and passed.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said chapter.

On motion of Mr. Constable,

The further call of the Senate was dispensed with.

The question being taken on concurring with the committee in their amendment to said bill, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Cavarly, Dougherty, Dunlap, Edwards, Fithian, Harris, Harrison, Henry, Johnson, Judd, Markley, Matteson, McMillan, McMurtry, Minard, Parker, Powers, Ryan, Smith of Adams, Smith of Madison, Thompson, Vandeventer, Waters, Webb, Worthington and Wynne—28.

Those voting in the negative, are,

Messrs. Allen, Catlin, Constable, Crain, Davis, Forman, Killpatrick, Leviston, Morrison, Nunnally, Ruggles, Warren and Wilbanks—13.

Mr. Allen moved to further amend said bill by adding the following as a proviso:

"Provided, This act shall not be so construed as to legalize any bonds or State indebtedness illegally sold, and all such bonds or other evidences of State indebtedness as has been illegally sold or hypothecated shall be left open to judicial investigation."

Mr. McMurtry moved to lay the proposed amendment on the table; which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Cavarly, Davis, Edwards, Harrison, Henry, Judd, Killpatrick, Markley, Matteson, McMillan, McMurtry, Minard, Powers, Ruggles, Ryan, Smith of Adams, Thompson, Vandeventer, Worthington and Wynne—22.

Those voting in the negative, are,

Messrs. Allen, Catlin, Constable, Crain, Dougherty, Dunlap, Fithian, Forman, Harris, Johnson, Leviston, Morrison, Nunnally, Parker, Smith of Madison, Warren, Waters, Webb and Wilbanks—19.

Mr. Constable moved to amend said bill by adding the following as a proviso:

“Provided, That this act shall not take effect until approved by a majority of the voters of this State. The question of approval to be submitted to them at the next election, to be held on the first Monday in the month of August next; the returns of the vote then taken in relation to said act, be returned to the Secretary of State, and thereon the result announced by proclamation of the Governor of this State, to be issued so soon as the full returns of such vote shall be received.”

Mr. McMurtry moved to lay the proposed amendment on the table; which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Cavarly, Dunlap, Edwards, Harrison, Henry, Judd, Killpatrick, Markley, Matteson, McMillan, McMurtry, Minard, Powers, Ruggles, Ryan, Smith of Adams, Smith of Madison, Thompson, Vandeventer, Worthington and Wynne—23.

Those voting in the negative, are,

Messrs. Allen, Catlin, Constable, Crain, Davis, Dougherty, Fithian, Forman, Harris, Johnson, Leviston, Morrison, Nunnally, Parker, Warren, Waters, Webb and Wilbanks—18.

Mr. Catlin moved to amend said bill by striking out all after the word “Stebbins” in the third section.

Mr. McMurtry moved to lay said amendment on the table; which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Cavarly, Dunlap, Edwards, Fithian, Harrison, Henry, Judd, Killpatrick, Markley, Matteson, McMillan, McMurtry, Minard, Powers, Ruggles, Ryan, Smith of Adams, Thompson, Vandeventer, Webb, Worthington and Wynne—24.

Those voting in the negative, are,

Messrs. Allen, Catlin, Constable, Crain, Davis, Dougherty, Forman, Harris, Johnson, Leviston, Morrison, Nunnally, Parker, Smith of Madison, Warren, Waters and Wilbanks—17.

Mr. Constable moved to amend said bill by striking out the words “canal bonds” in the third section.

Mr. Worthington moved to lay said amendment on the table; which was decided in the affirmative by yeas and nays as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Cavarly, Dougherty, Dunlap, Fithian, Harris, Harrison, Henry, Judd, Killpatrick, Markley, Matteson, McMillan, McMurtry, Minard, Powers, Ruggles, Ryan, Smith of Adams, Thompson, Vandeventer, Worthington and Wynne—24.

Those voting in the negative, are,

Messrs. Allen, Catlin, Constable, Crain, Davis, Edwards, Forman,

Johnson, Leviston, Morrison, Nunnally, Parker, Smith of Madison, Warren, Waters, Webb and Wilbanks—17.

Mr. McMurtry moved the previous question.

And on the question: "Shall the main question be now put?" It was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Edwards, Harrison, Henry, Judd, Killpatrick, Markley, Matteson, McMillan, McMurtry, Minard, Powers, Ryan, Smith of Adams, Smith of Madison, Thompson, Vandeventer and Worthington—19.

Those voting in the negative, are,

Messrs. Allen, Catlin, Cavarly, Constable, Crain, Davis, Dougherty, Dunlap, Fithian, Forman, Harris, Johnson, Leviston, Morrison, Nunnally, Parker, Ruggles, Warren, Waters, Webb, Wilbanks and Wynne—22.

Mr. Cavarly moved to re-consider the vote just taken on ordering the main question; which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Cavarly, Davis, Edwards, Harris, Harrison, Henry, Johnson, Judd, Killpatrick, Markley, Matteson, McMillan, McMurtry, Minard, Powers, Ruggles, Ryan, Smith of Adams, Smith of Madison, Thompson, Vandeventer, Worthington and Wynne—25.

Those voting in the negative, are,

Messrs. Allen, Catlin, Constable, Crain, Dougherty, Dunlap, Fithian, Forman, Leviston, Morrison, Nunnally, Parker, Warren, Waters, Webb and Wilbanks—16.

The question then being taken on ordering said bill to a third reading as amended, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Cavarly, Dunlap, Harrison, Henry, Judd, Killpatrick, Markley, Matteson, McMillan, McMurtry, Minard, Powers, Ruggles, Ryan, Smith of Adams, Thompson, Vandeventer, Worthington and Wynne—21.

Those voting in the negative, are,

Messrs. Allen, Catlin, Constable, Crain, Davis, Dougherty, Edwards, Fithian, Forman, Harris, Johnson, Leviston, Morrison, Nunnally, Parker, Smith of Madison, Warren, Waters, Webb and Wilbanks—20.

On motion of Mr. Killpatrick,

Said bill was referred to a select committee.

Ordered, That Messrs. Killpatrick, Judd and Harrison be that committee.

On motion of Mr. Killpatrick,

Leave was given said committee to withdraw from the Senate for the purpose of considering said bill.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed bills of the following titles:

"An act for the relief of Thomas Brown;"

"An act to drain a marsh in Grouse point precinct, in Cook county;"

"An act to establish the county line dividing Gallatin and Hardin counties;"

"An act to incorporate the Springfield Lodge, No. 4. of free and accepted Masons;"

"An act to define and establish the boundary lines of State street in the city of Chicago;"

"An act to authorize the county commissioner's court of Jefferson to establish an additional justice's district in said county;"

"An act to amend an act entitled 'An act concerning public roads;' " approved February 20, 1841;

"An act relating to town-plats therein named;"

"An act to aid in the removal of obstructions to the navigation of the Sangamon river with keel and flats boats;"

"An act to authorize the construction of a toll-bridge across the Illinois river;"

"An act for the benefit of James Hood, a minor;"

"An act for the resurvey of the towns of Waterloo and Columbia;"

"An act to authorize Stephen Forbes to construct a dam across the Des Plaines river, in Cook county;"

"An act to build a bridge across the Fox river, at Ottawa, in La Salle county;"

"An act to incorporate the Warrenville Seminary, in the county of Du Page;"

"An act to incorporate the town of Knoxville, in Knox county;"

"An act in relation to schools in township 19 north, of range 9 east, in Champaign county;"

"An act to incorporate the Cherry grove seminary, in Knox county;"

"An act to authorize justices of the peace to take recognizance in certain cases;"

"An act for the relief of the collectors of the counties of Randolph, Monroe and other counties;"

"An act providing for funding the debt of La Salle county, and for the payment of the interest thereon;"

"An act requiring the collector of Champaign county to pay over certain moneys upon the Auditor's warrant;"

"An act to vacate the town-plat of Sangamon town;"

"An act to enable the several townships in this State to receive their shares of the school funds, when such townships have neglected to return the number of children therein;"

"An act for the election of a commissioner to take the enumeration of the inhabitants of the several counties of this State;"

"An act to authorize the county commissioners of Warren county to settle with Daniel McNeil;"

"An act to suspend an act therein named;"

"An act to re-annex the county of Cumberland to the county of Coles, and for other purposes;"

"An act to vacate the town-plat of Romeo, in the county of Will;"

"An act to authorize Titus Howe to construct a mill-dam across Fox river, in Kendall county;"

"An act to repeal an act entitled "An act to incorporate the Beardstown and Sangamon canal company;"

"An act to promote a more faithful discharge of the duties of probate justice of the peace;"

"An act authorizing county commissioners' courts to provide for the safe keeping and preserving all the public records belonging to said counties;"

"An act to repeal certain acts therein named;"

"An act for the relief of Stevens and Trenchery;"

"An act to authorize the counties of Stephenson, Carroll and Ogle to levy a special tax for county purposes;"

"An act to legalize the official acts of certain justices of the peace, and for other purposes;"

"An act for the relief of the securitics of D. Vanduhoof, late a collector of Jasper county;"

"An act to authorize actions at law against foreign corporations;"

"An act for the relief of Joseph Reynolds, of Gallatin county;"

"An act respecting tax sales in the city of Alton;"

"An act relating to the tax collector of Franklin county for the year 1843;"

"An act to incorporate the Rushville High school Association;" and

"An act regulating the assessment and collection of the public revenue."

In the passage of which several bills, the House ask the concurrence of the Senate.

The House have adopted the accompanying resolution relative to a balance of a certain unexpended appropriation in the hands of the Secretary of State.

In the adoption of which they ask the concurrence of the Senate.

The House have concurred with the Senate in the passage of bills of the following titles:

"An act for the relief of certain persons therein named;"

"An act concerning the territorial and other records of Illinois;" and

"An act to incorporate the Henderson county turnpike company;" the two latter bills as amended by the House.

In which amendments they ask the concurrence of the Senate.

The House have passed chapter 61 of the "Revised Statutes."

In which they ask the concurrence of the Senate.

A message from the House of Representatives, by Mr. Aldrich, a Representative:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed a bill for "An act to authorize the assessment and collection of taxes in the Rochester school district;" and

"An act to establish the Jo Daviess county court."

In the passage of which they ask the concurrence of the Senate.

Mr. Matteson, from the committee on Finance, to which was referred the bill entitled "An act for the relief of the estate of Robert Davis," reported the same back without amendment; said bill was

Ordered to be engrossed for a third reading.

On motion of Mr. Worthington,

The rule was dispensed with, said bill read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

Mr. Matteson, from the same committee, to which was referred the bill entitled "An act to provide for the collection of certain moneys therein named," reported the same back without amendment; said bill was

Ordered to be engrossed for a third reading.

On motion of Mr. Leviston,

The rule was dispensed with, said bill read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed a bill for "An act to legalize the acknowledgment of the town-plat of Rockford, on the west side of Rock river."

In the passage of which they ask the concurrence of the Senate.

The House have concurred with the Senate in the passage of a bill for "An act to incorporate the Chicago and Juliet turnpike company," as amended by the House.

In which amendments they ask the concurrence of the Senate.

Mr. Killpatrick, from the select committee, to which was referred the bill from the House of Representatives entitled "An act to provide for paying a portion of the interest on the State debt," reported the same back without amendment and recommended the passage of said bill.

Mr. Forman moved a call of the Senate:

During the pendency of the call, Mr. Cavarly, from the joint Judiciary committee of the two Houses, reported chapter 74 of the Revised Statutes; which was read, and

Ordered to a second reading.

On motion of Mr. Nunnally,

The rule was dispensed with, said chapter read a second and third time by its title and passed.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said chapter.

Mr. Matteson, from the committee on Finance, to which was referred bills from the House of Representatives entitled "An act for a settlement of the accounts of James Shepherd, late collector of Sangamon county;"

"An act for the relief of Thomas Short, late collector of the revenue, in Vermilion county;"

"An act for the relief of Alfred Shattuck;" reported the same back without amendment.

Ordered, That said bills be read a third time.

On motion, the rule was dispensed with, said bills severally read a third time by their titles and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives of the concurrence of the Senate.

On motion of Mr. McMillan,

The order of business was suspended, and the bill from the House of Representatives entitled "An act to amend an act to change the time of holding courts in the fifth judicial circuit," approved March 4th, 1843, was taken up, read, and

Ordered to a second reading.

On motion of Mr. McMurtry,

The rule was dispensed with, said bill severally read a second and third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Webb, from the committee on the Judiciary, to which was referred the bill from the House of Representatives entitled "An act to regulate the mode of levying executions," reported the same back with an amendment; which was concurred in, and said bill as amended, was

Ordered to a third reading.

On motion of Mr. Cavarly,

The rule was dispensed with, said bill as amended, read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendments to said bill.

On motion of Mr. McMurtry,

The further proceedings under the call were dispensed with; and the question being taken on the passage of the bill from the House of Representatives entitled "An act to provide for paying a portion of the interest on the State debt" as amended, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Cavarly, Dunlap, Harrison, Henry, Judd, Killpatrick, Markley, Matteson, McMillan, McMurtry, Minard, Powers, Ruggles, Ryan, Smith of Adams, Thompson, Vandeventer, Worthington and Wynne—21.

Those voting in the negative, are,

Messrs. Allen, Catlin, Constable, Crain, Davis, Dougherty, Edwards, Fithian, Forman, Harris, Johnson, Leviston, Morrison, Nunnally, Parker, Smith of Madison, Warren, Waters, Webb and Wilbanks—20.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendment to said bill.

A message from the House of Representatives, by Mr. Miller of Fulton, a Representative:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed a bill for "An act to vacate the town plat of the town of Enterprise."

In the passage of which they ask the concurrence of the Senate.

Mr. Cavarly, from the joint Judiciary committee of the two Houses, reported chapter 90 of the Revised Statutes.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Warren,

The order of business was suspended, and the several resolutions in relation to the indebtedness of John Tillson, Jr., were taken up, and referred to the same select committee, to which other resolutions on the same subject were heretofore referred.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with the Senate in their adoption of the amendment proposed by the committee of conference on the disagreeing vote of the two Houses, on the Senate amendment to the House bill for "An act to legalize the sale of school lands in Adams county."

A message from the House of Representatives, by Mr. Davis of McLean, a Representative:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed a bill for "An act to repeal 'An act to authorise a settlement with Macalister & Stebbins,' approved March 4th, 1843.

In the passage of which I am directed to ask the concurrence of the Senate.

The House of Representatives have adopted the following resolution, viz:

Resolved by the House of Representatives, That the Senate are respectfully requested to return to the possession of the clerk of the House of Representatives, a House bill for "An act for the removal of the seat of justice of the county of Randolph."

On motion of Mr. Killpatrick,

The order of business was suspended, and the bill from the House of Representatives entitled "An act authorising the school commissioner of Greene county to sell certain property purchased on execution," was taken up, and

Ordered to a second reading.

On motion of Mr. Killpatrick,

The rule was dispensed with, said bill read a second time by its title.

Mr. Killpatrick moved to amend said bill by striking out all after the enacting clause, and inserting the following, in lieu thereof:

"SEC. 4. That after the contract for the loan of one million six hundred thousand dollars, as contemplated in the act entitled "An act to provide for the completion of the Illinois and Michigan canal, and for the payment of the canal debt," approved February 21, 1843, shall be duly executed in all respects as is provided by the terms of the above recited act, as modified by the provisions of this act, and the trustees are appointed as is contemplated in said act, the Governor of this State shall execute and deliver, under the seal of State, a deed of trust to the said trustees, of all the property and effects mentioned in the 10th section of said act; which said conveyance shall include the lands and lots remaining unsold, donated by the United States to the State of Illinois, to aid in the completion of the said canal; to be held in trust as in the said act stipulated. And it

is expressly provided, that the subscribers to said loan may and shall register their bonds or other evidences of indebtedness upon which they may have made or may hereafter make their subscriptions, within one year after the appointment of trustees: And the said subscribers shall be entitled to priority in the payment of the respective advances to be made by them, and the interest thereon; also a priority in the payment of the principal and interest of the bonds or other evidences of indebtedness to be registered by them, out of the proceeds of the said trust property, any thing in the said act above mentioned to the contrary notwithstanding.

SEC. 5. The majority of the said board of trustees shall have power and authority to act and decide in all cases, and their acts shall bind all parties; and in appointing the said trustees, each subscriber to the said loan shall be entitled to one vote for each sum of \$320 subscribed, and such election may be held in the city of New York, under the direction of the District Judge of the United States for that district, or such person as he for that purpose may appoint.

SEC. 6. In case a sufficient sum shall not be subscribed or paid to complete said canal, the said subscribers shall share *pari passu*, with other persons who may subscribe and pay the residue of the amount, provided that the subscribers to said loan shall have the right to subscribe and fill up the amount necessary to finish said canal in the first instance, and if they neglect so to do, then any other person may subscribe such amount; And provided further: that such subscribers may register bonds upon such subscriptions as herein before provided, within one year after such subscriptions.

SEC. 7. When the amount due for arrears and difference of interest on the registered bonds and other canal indebtedness shall be extinguished, then the principal of said registered bonds and canal indebtedness, shall be paid, and when the said principal shall have been paid, the said trustees shall proceed to pay the interest on the unregistered canal bonds and canal indebtedness.

SEC. 8. The preliminary expenses of the negotiation of said contract, with the expenses of the examinations of the canal property by the agents appointed by the authority of the bondholders, shall be first paid by the said trustees, unless some other provision for their payment be made by the General Assembly. But no further expense shall be incurred by the State, by sending agents to Europe or elsewhere, in relation to the matter.

SEC. 9. If the said canal shall not be completed within three years, as is contemplated in the 4th section of the above recited act, the subscribers to said loan, who shall have advanced money in pursuance of their subscription, shall not forfeit the priority of payment secured to them by this act, but shall share in the trust property *pari passu*, with such other persons as will advance further sums, if such should be necessary to complete the canal."

Mr. Edwards moved to refer said bill and the proposed amendment to a select committee; which was not agreed to.

Mr. Edwards moved to lay the bill and proposed amendment on the table; which was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Catlin, Constable, Crain, Dunlap, Edwards, Fithian,

Forman, Johnson, Leviston, Morrison, Nunnally, Parker, Waters and Worthington—15.

Those voting in the negative, are,

Messrs. Boal, Buford, Cavarly, Davis, Harris, Harrison, Henry, Judd, Killpatrick, Markley, Matteson, McMillan, McMurtry, Minard, Powers, Ruggles, Ryan, Smith of Adams, Thompson, Vaudeventer, Warren, Webb, Wilbanks and Wynne—24.

Mr. Catlin moved a call of the Senate;

During the pendency of the call,

Chapter No. 90 of the Revised Statutes, reported this morning, was read and ordered to a second reading.

On motion of Mr. Harris,

The rule was dispensed with, said chapter read a second time by its title.

Mr. Judd moved to amend by striking out the word 'August' and inserting 'September' in lieu thereof, which was agreed to, and said chapter amended,

Ordered to be engrossed for a third reading.

On motion of Mr. Cavarly,

The rule was further dispensed with, said chapter read a third time by its title and passed.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said chapter.

A message from the House of Representatives, by Mr. Loop, a Representative:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed a bill for "An act to legalize the acts of the commissioners in locating a State road from Belvidere to Little Fort."

In the passage of which they ask the concurrence of the Senate.

On motion of Mr. Edwards,

The further proceedings under the call were dispensed with.

The question then being taken on the adoption of the amendment proposed by Mr. Killpatrick to the bill entitled "An act authorising the school commissioner of Greene county, to sell certain property purchased on execution," it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Cavarly, Davis, Harrison, Henry, Judd, Killpatrick, Markley, Matteson, McMillan, McMurtry, Minard, Powers, Ruggles, Ryan, Smith of Adams, Smith of Madison, Thompson, Vaudeventer, Warren and Wynne—22.

Those voting in the negative, are,

Messrs. Allen, Catlin, Constable, Crain, Dunlap, Edwards, Fithian, Forman, Harris, Johnson, Leviston, Morrison, Nunnally, Parker, Waters, Webb, Wilbanks and Worthington—18.

The question being then taken on ordering the bill to a third reading, as amended, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Cavarly, Davis, Harrison, Henry, Judd, Killpatrick, Markley, Matteson, McMillan, McMurtry, Minard, Powers, Ruggles, Ryan, Smith of Adams, Smith of Madison, Thompson, Vaudeventer, Warren and Wynne—22.

Those voting in the negative, are,

Messrs. Allen, Catlin, Constable, Crain, Dunlap, Edwards, Fithian, Forman, Harris, Johnson, Leviston, Morrison, Nunnally, Parker, Waters, Webb, Wilbanks and Worthington—18.

Mr. Edwards moved to dispense with the rule, and that said bill be read a third time; which was not agreed to.

Mr. Killpatrick moved to refer said bill to a select committee; which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Cavarly, Davis, Edwards, Harris, Harrison, Henry, Judd, Killpatrick, Markley, Matteson, McMillan, McMurtry, Minard, Powers, Ruggles, Ryan, Smith of Adams, Smith of Madison, Thompson, Vandeventer, Warren, Webb, Worthington and Wynne—26.

Those voting in the negative, are,

Messrs. Allen, Catlin, Constable, Crain, Dunlap, Fithian, Forman, Johnson, Leviston, Morrison, Nunnally, Parker, Waters and Wilbanks—14.

Ordered, That Messrs. Killpatrick, McMurtry and Minard be that committee.

On motion of Mr. Markley,

The order of business was suspended, and the bill from the House of Representatives entitled "An act to amend an act, entitled 'An act concerning public roads,' " approved February 20th, 1841, was read, and

Ordered to a second reading.

On motion of Mr. Markley,

The rule was dispensed with, said bill read a second time by its title, and

Referred to the committee on Public Roads.

Mr. Davis, from the committee on the Judiciary, to which was referred a bill entitled "An act to authorise Hannah G. Sharp to keep a ferry across the Mississippi river at Warsaw," reported the same back with an amendment, which was concurred in, and the bill as amended, passed.

On motion of Mr. Davis,

Ordered, That the title of said bill be so amended as to make it read thus: "An act to establish a ferry across the Mississippi river."

Ordered, That the title be as amended, and that the Secretary ask the concurrence of the House of Representatives in the passage of said bill.

On motion of Mr. Morrison,

The order of business was suspended, and the resolution to-day received from the House of Representatives, requesting the return to the House of the bill entitled "An act for the removal of the seat of justice of Randolph county," was taken up, and

On motion of McMurtry,

Said bill and resolution were laid on the table until the 4th of July next.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Matteson, from the committee on Finance, to which was referred the bill from the House of Representatives entitled "An act for the relinquishment by the State of Illinois to the city of Quincy, of her right

to the bed of the railroad as laid out through said city," reported the same back with an amendment, which was concurred in, and said bill as amended,

Ordered to a third reading.

On motion of Mr. Matteson,

The rule was dispensed with, said bill read a third time as amended, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendments to said bill.

On motion of Mr. Cavarly,

Ordered, That the committee on Military Affairs be requested to examine the claims, and report a bill making provision for paying that portion of the troops called into service by the Governor, during the last summer and for contingent expenses attending the same, and for creating a board of the officers of the State at Springfield, to adjust and settle the same; and also to report rules for the government of said board in the adjustment of said claims.

Mr. Leviston moved the adoption of the following order;

Ordered, That the honorable chairman of the joint select committee, appointed by the two Houses to investigate the Bank of Illinois, be respectfully requested to report at his earliest convenience the evidence adduced before that committee in reference to the management of the said Bank.

Mr. Edwards moved to lay the same on the table, which was not agreed to, and said order was then adopted.

Mr. Speaker laid before the Senate three communications from the Governor, and announced that the same were upon executive business.

On motion of Mr. Parker,

The said communications were acted upon with open doors, and read as follows:

EXECUTIVE DEPARTMENT,
Springfield, Feb. 26, 1845.

To the Senate:

I nominate James M. Davidge to be Notary Public in and for the county of Pulaski.

Valentine A. Boyer to be Notary Public in and for the city of Chicago, in the county of Cook, in place of N. B. Judd, resigned.

Charles Follensbee to be public administrator in and for the county of Cook, and

Henry Stees to be public administrator in and for the county of Wash.

THOMAS FORD.

EXECUTIVE DEPARTMENT,
Springfield, February 26, 1845.

To the Senate:

I nominate William W. Phelps to be Notary Public in and for Nauvoo, in Hancock county, in pursuance of the petition of fifty voters.

THOMAS FORD.

EXECUTIVE DEPARTMENT,
Springfield, February 26, 1845.

To the Senate:

I nominate J. B. F. Russell to be an additional Notary Public for the city of Chicago, in the county of Cook, in pursuance of the petition of fifty voters.

THOMAS FORD.

On motion of Mr. Matteson,

The several nominations as above, were advised and consented to by the Senate.

On motion of Mr. Nunnally,

The order of business was suspended, and the bill for "An act supplemental to 'An act to reduce the public debt one million of dollars and to put the Bank of Illinois into liquidation,'" as amended by the House of Representatives, was taken up, and said amendment read and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion of Mr. Edwards,

The order of business was suspended, and the bill from the House of Representatives entitled "An act to adjust the lease and claims of S. M. Tinsley & Co. on the Northern Cross Railroad," was taken up, read, and

Ordered to a second reading.

On motion of Mr. Edwards,

The rule was dispensed with, said bill read a second time by its title, and Referred to the committee on Public Accounts and Expenditures.

The orders of the day were taken up.

Senate bills as amended by the House of Representatives:

The bill entitled "An act for the relief of Thomas S. Brockman, late collector of Brown county and securities," was read as amended, and the amendment of the House of Representatives concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill entitled "An act to amend an act, entitled 'An act to amend the several acts in relation to common schools,'" passed March 4th, 1837, was read as amended by the House of Representatives, and

On motion of Mr. Warren,

Laid on the table until the 4th day of July next.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion,

The Senate adjourned.

FRIDAY, FEBRUARY 28, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Dickens.

Mr. Constable presented the proceedings of a public meeting held in Wabash county, in relation to the increase of taxation and improvement of the Little Wabash river; which was read, and

On motion of Mr. Constable,

Laid on the table.

Mr. Constable asked and obtained leave to withdraw the same from the files of the Senate.

A message from the House of Representatives, by Mr. Loop, a Representative:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed a bill for "An act to provide for an additional magistrate and constable, in Kishwackie precinct."

In the passage of which they ask the concurrence of the Senate.

A message from the House of Representatives, by Mr. Davis of McLean, a Representative:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with them in the passage of the following bills:

"An act to authorise the erection of a mill dam in the Great Wabash river in Wabash county;"

"An act to authorise George H. Wood, executor of William Wood, deceased, to convey certain lands therein mentioned, to Godfrey Wilkins;"

"An act to attach a strip of lost land to the counties of Fulton and Peoria;"

"An act to incorporate the Batavia Cemetery Association;"

"An act to provide for the donation of lots in towns situated on canal lands to public purposes;"

"An act to incorporate the Illinois Cotton Manufacturing Company;"

"An act to re-locate a part of the State road leading from the town of Amity to the town of Highland;"

"An act to incorporate the town of Winchester, in Scott county;"

"An act for the benefit of the heirs of Jesse Moore, deceased."

The House have concurred with the Senate in the passage of a bill for "An act to authorise the county of Marshall to transcribe records from Putnam county," as amended by the House.

In which amendments I am directed to ask the concurrence of the Senate.

The House have refused to order to a third reading Senate bill for "An act to make the property of stockholders of incorporations individually liable for the debts of said incorporations."

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Boyakin, a Representative:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with them in the passage of chapter 90 of the Revised Statutes.

Mr. Parker, from the committee on Enrolled Bills, reported as correctly enrolled, bills of the following titles:

"An act to incorporate the town of Tentopolis, in the county of Effingham;"

"An act to establish a ferry across the Illinois river, in La Salle county;"

"An act for the relief of Wilson Rea and John Golden;"

"An act to amend the act entitled 'An act to incorporate the city of Springfield;'"

"An act to establish a ferry across the Mississippi river;"

"An act to establish a State road from Columbiana, on the Illinois river to John Andrew's cabinet shop on the State road leading from Carrollton to Newport;"

"An act for the relief of Mary C. Curtin;"

"An act to amend an act, entitled 'An act to prevent the unlawful driving away of cattle and other stock by drovers and other persons,'" approved Feb. 3, 1841;

"An act to amend an act, entitled 'An act to incorporate the Rock river Bridge Company,'" approved March 3d, 1843;

"An act enabling Joseph A. Phelps to keep a ferry across the east channel of the Illinois river, opposite Grand Island;"

"An act in relation to the election of county officers;"

"An act directing the collection of debts due the State on account of the Gallatin Salines;"

"An act to establish the times of holding circuit courts in the first judicial circuit;"

"An act to amend 'An act providing for the binding the Laws and Journals,'" approved Jan. 31, 1840;

"An act in relation to the acts of the clerk of the county commissioners' court, of Cumberland county;"

"An act authorising William Forrester and Abraham Howard to build a mill dam across the Kaskaskia river;"

"An act authorising certain lands to be flooded;"

"An act for the benefit of D. Kyle Stephenson."

Also a joint resolution in relation to the McAlister & Stebbins hypothecated bonds.

Also a preamble and resolution in relation to the occupancy of Oregon, all of which are laid before the Council of Revision.

A message from the House of Representatives, by Mr. Cloud, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with the Senate in their amendments to the House bills of the following titles, viz:

"An act to authorise Joseph Cox to construct a mill dam on the Mississippi river;"

"An act to protect owners of wood yards against the illegal acts of steam boat masters and officers;"

"An act concerning certain counties therein named;"

"An act supplemental to 'An act to incorporate the Spoon river Navigation Company,'" approved March 3d, 1837;

"An act for the further restriction of imprisonment for debt;"

"An act to legalize the sale of property therein named;"

"An act to authorise John Foster and others, to construct a mill dam on the Mississippi river."

The House of Representatives have passed bills of the following titles, viz:

"An act to vacate a part of the Darwin and Charleston Turnpike Road;"

"An act organizing a school district in Hardin county and authorising the sale of school lands therein;"

"An act to authorise the county commissioners of Stark county to sell lots in the town of Toulon;"

"An act concerning public records;"

"An act to change certain names herein mentioned;"

"An act to incorporate the Decatur Cemetery Association, in Macon county;"

"An act to prevent the stealing and enticing away of slaves from slave States;"

"An act to incorporate the Hygean Seminary, at Western Saratoga, in Union county;"

"An act to incorporate the Warrenville Cemetery Association."

In the passage of which several bills I am directed to ask the concurrence of the Senate.

The House of Representatives have concurred with the Senate in their amendments to the House bill for "An act concerning the Sangamon river," as amended by the House.

In which amendments to the amendments of the Senate I am directed to ask the concurrence of the Senate.

The House amend the Senate's amendments by striking out the provisos in the 6th section.

Mr. Nunnally, from the committee on Public Accounts and Expenditures, to which was referred the bill from the House of Representatives entitled "An act to adjust the lease and claims of S. M. Tinsley & Co., on the Northern Cross Railroad," reported the same back without amendment; said bill was

Ordered to a third reading.

Mr. Dougherty moved the indefinite postponement of the further consideration of said bill; which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Buford, Catlin, Cavarly, Crain, Davis, Dougherty, Dunlap, Fithian, Forman, Harris, Henry, Johnson, Leviston, Markley, McMillan, McMurtry, Morrison, Parker, Powers, Ruggles, Ryan, Thompson, Vandeventer, Warren and Waters—27.

Those voting in the negative, are,

Messrs. Edwards, Harrison, Judd, Kilpatrick, Matteson, Mirard, Nunnally, Smith of Adams, Smith of Madison, Webb, Wilbanks Worthington and Wynne—13.

Ordered, That the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Boyakin, a member of the House:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that the House have concurred with the Senate in the passage of chapters 74 and 81 of the Revised Statutes.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of

Representatives have concurred with them in the passage of bills of the following titles:

"An act to incorporate the Alton Cemetery;"

"An act to incorporate the Upper Alton Cemetery;" and

"An act to incorporate the Byron Hydraulic Company," the latter bill as amended by the House.

In which amendment they ask the concurrence of the Senate.

The House have also concurred with the Senate in the passage of chapter 90 of the Revised Statutes.

A message from the Council of Revision, by Mr. Hawley, their Secretary:

Mr. Speaker: I am directed to say that the Council of Revision has approved bills of the following titles, to wit:

"An act to amend an act, entitled 'An act to incorporate the Rock river Bridge Company,' " approved March 3d, 1843;

"An act to amend an act, entitled 'An act providing for the binding the Laws and Journals,' " approved Jan. 31, 1840;

"An act in relation to the election of county officers;"

"An act to amend the act entitled 'An act to incorporate the city of Springfield;'"

"An act authorising William Forrester and Abraham Howard to build a mill dam across the Kaskaskia river;"

"An act in relation to the acts of the clerk of the county commissioners' court of Cumberland county;"

"An act to establish a ferry across the Mississippi river;"

"An act enabling Joseph A. Phelps to keep a ferry across the east channel of the Illinois river, opposite Grand Island;"

Joint resolution in relation to McAlister and Stebbin's bonds.

"An act to amend an act, entitled 'An act to prevent the unlawful driving away of cattle and other stock, by drovers and other persons,' " approved Feb. 3d, 1841;

"An act to establish a ferry across the Illinois river, in La Salle county;"

"An act to establish the times of holding circuit courts in the first judicial circuit;"

"An act for the relief of Wilson Rea and John Golden;"

"An act to establish a State road from Columbiana, on the Illinois river, to John Andrew's cabinet shop, on the State road leading from Carrolton to Newport;"

"An act for the relief of Mary C. Curtin;"

"An act directing the collection of debts due the State on account of the Gallatin Salines;"

"An act for the benefit of D. Kyle Stephenson;"

"An act to incorporate the town of Tentopolis in the county of Effingham;"

"An act authorising certain lands to be flooded," is returned to the Senate, with objections, as follows:

The Council of Revision have had under consideration "An act entitled 'An act authorising certain lands to be flooded,' " and return the same to the Senate, in which it originated as improper to become a law, with their objections, which are as follows:

The act provides that any person who shall hereafter purchase any land of the United States, which shall be flooded at the time of such purchase,

shall not thereby acquire any right to recover any damages against any person who may have erected dams and machinery and continue to overflow said lands.

The Council of Revision are of opinion that the Legislature do not possess the constitutional power to pass this law. The water flowing over land, as it passes, the fall of the water in passing over it, and the consequent water power, which may exist on it, are inseparably united to the soil, unless the right to it shall be parted with voluntarily by the owner, or a just compensation shall be made to him therefor.

Such water privilege is as much property as the land itself, and in many instances the land would be of but little value without it. The United States, as the original proprietor of such lands are not only invested with a right to the soil itself, but also to all such natural advantages which it may possess, as are calculated to increase its value. This right the government of the United States sells with the land and becomes completely invested in the purchaser. He who buys of the government gets the whole right of the government; and the Legislature have no more power to take it away from him than they have to take it away from the government itself. Such an act would be void, as being an interference with the United States in the primary disposal of the public lands; and as an effort on our part to narrow the effect of title derived from the government.

THOMAS FORD,
SAM'L. D. LOCKWOOD,
WM. WILSON,
S. H. TREAT,
WALTER B. SCATES,
THOMAS C. BROWNE,
R. M. YOUNG,
JAS. SHIELDS.

Mr. Constable, from the committee on the Judiciary, to which was referred the bill entitled "An act to guard against the baneful influence of party spirit," reported the same back with an amendment, which was concurred in, and said bill as amended,

Ordered to be engrossed for a third reading.

On motion of Mr. Constable,

The rule was dispensed with, said bill read a third time by its title and passed.

On motion of Mr. Constable,

The title was so amended as to make it read "An act to revive certain acts therein named."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

Mr. Markley, from the committee on Public Roads, to which was referred a bill from the House of Representatives entitled "An act to amend an act, entitled 'An act concerning public roads,'" approved February 20th, 1841, reported the same back without amendment; said bill was

Ordered to a third reading.

On motion of Mr. Markley,

The rule was dispensed with, said bill read a third time by its title and passed.

On motion of Mr. Cavarly,

The order of business was suspended, and the bill from the Council of Revision returned with their objections entitled "An act authorising certain lands to be flooded," was taken up, and on his motion, referred to the committee on the Judiciary.

Mr. Killpatrick, from the select committee, to which was referred the bill from the House of Representatives entitled "An act authorising the school commissioner of Greene county to sell certain property purchased on execution," reported the same back without amendment, and recommended its passage; said bill was read a third time.

And on the question, "Shall said bill pass as amended?" It was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Cavarly, Davis, Edwards, Harrison, Henry, Judd, Killpatrick, Markley, Matteson, McMillan, McMurtry, Minard, Powers, Ruggles, Ryan, Smith of Adams, Smith of Madison, Thompson, Vandeventer, Warren and Wynne—23.

Those voting in the negative, are,

Messrs. Allen, Catlin, Constable, Crain, Dougherty, Dunlap, Fithian, Forman, Harris, Johnson, Leviston, Morrison, Nunnally, Parker, Waters, Webb, Wilbanks and Worthington—18.

Mr. Vandeventer, from the select committee, to which was referred a bill from the House of Representatives entitled "An act for the benefit of schools of township eight north, of range six east, in Effingham county," reported the same back with an amendment, which was concurred in, and the bill as amended,

Ordered to a third reading.

On motion of Mr. Vandeventer,

The rule was dispensed with, said bill read a third time by its title and passed.

On motion of Mr. Vandeventer,

The title was amended by making it read "An act making appropriations to Capt. Nathan Stephenson and others."

Ordered, That the title be as amended, and that the Secretary ask the concurrence of the House of Representatives in the amendments of the Senate to said bill.

Mr. McMurtry, from the select committee, to which was referred a bill from the House of Representatives entitled "An act to provide for the election of certain officers therein named, and to fix the tenure of their offices," reported the same back with an amendment, which was concurred in, and the bill as amended,

Ordered to a third reading.

On motion of Mr. Davis,

The rule was dispensed with, said bill read a third time by its title and passed.

On motion of Mr. Davis,

The title was amended, making it read "An act making certain appropriations for provisions furnished the troops during the recent disturbances in Hancock county."

Ordered, That the title be as amended, and that the Secretary ask the concurrence of the House of Representatives in said amendments.

On motion of Mr. Killpatrick,

The title was so amended as to make it read "An act supplemental to an act, entitled 'An act to provide for the completion of the Illinois and Michigan canal, and for the payment of the canal debt,'" approved Feb. 21, 1843.

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendments to said bill and title.

Mr. Edwards, from the select committee, to which was referred the bill entitled "An act to modify the charter of the city of Springfield," reported the same back with an amendment.

On motion of Mr. Wynne,

Said bill and the proposed amendment were referred to the committee on Counties.

Mr. Cavarly, from the select committee, to which was referred certain resolutions, on the subject of the indebtedness of John Tillson, Jr. to the State, &c., reported the same back with an amendment.

Mr. Dougherty moved that the resolutions be laid on the table until the 4th of July next; and the question being taken thereon, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Buford, Catlin, Dougherty, Harris, Judd, Leviston, Markley, Matteson, Minard, Morrison, Nunnally, Parker, Ryan and Wilbanks—15.

Those voting in the negative, are,

Messrs. Boal, Cavarly, Constable, Davis, Dunlap, Edwards, Fithian, Harrison, Henry, Johnson, Killpatrick, McMillan, McMurtry, Powers, Smith of Adams, Smith of Madison, Thompson, Vandeventer, Warren, Waters, Webb, Worthington and Wynne—23.

Mr. Henry moved to lay said resolution and the proposed amendment on the table; which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Buford, Catlin, Constable, Dougherty, Edwards, Forman, Harris, Judd, Killpatrick, Leviston, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Nunnally, Parker, Ruggles, Ryan, Thompson, Warren, Waters and Wilbanks—25.

Those voting in the negative, are,

Messrs. Boal, Cavarly, Davis, Dunlap, Fithian, Harrison, Henry, Johnson, Powers, Smith of Adams, Smith of Madison, Vandeventer, Webb, Worthington and Wynne—15.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Cavarly, from the committee on the Judiciary, to which was referred the bill returned from the Council of Revision, together with the objections of the Council of Revision to said bill entitled "An act authorizing certain lands to be flooded," reported the same back, and asked to be

discharged from a further consideration of the subject; which was agreed to.

On motion of Mr. Cavarly,

Said bill and the objections of the Council of Revision to the same were laid on the table.

Mr. Cavarly, from the same committee, to which was referred the bill entitled "An act to prevent trespassing and other purposes," reported the same back without amendment, and said committee were discharged from a further consideration of the subject.

On motion of Mr. Cavarly,

Said bill was laid on the table until the 4th day of July next.

Mr. Cavarly, from the joint Judiciary committee of the two Houses, reported chapters 42 and 47 of the Revised Statutes; which were severally read, and

Ordered to a second reading.

On motion of Mr. Cavarly,

The rule was dispensed with, said chapters severally read a second time by their titles, and

Ordered to be engrossed for a third reading.

On motion of Mr. Cavarly,

The rule was dispensed with, said chapters read severally a third time by their titles and passed.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said chapters.

On motion of Mr. Cavarly,

The 23d chapter of the Revised Statutes some days since laid on the table, was taken up, and

Ordered to be engrossed for a third reading.

On motion of Mr. Cavarly,

The rule was dispensed with, said chapter read a third time by its title and passed.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said chapter.

Mr. Matteson, from the committee on Finance, to which was referred the bill from the House of Representatives entitled "An act authorizing the board of Auditors to settle certain claims therein named," reported the same back with an amendment; which was concurred in, and said bill as amended,

Ordered to a third reading.

On motion of Mr. Cavarly,

The rule was dispensed with, said bill read a third time as amended by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendment to said bill.

Mr. Matteson, from the committee on Finance, to which was referred the bill from the House of Representatives entitled "An act for the relief of James Ryan," reported the same back with an amendment; which was concurred in.

Mr. McMurtry moved to amend the bill by adding as follows:

"Provided, The appraisers appointed under the provision of this act

shall not be allowed any compensation for their services;" which was agreed to, and said bill as amended,

Ordered to a third reading.

On motion of Mr. Matteson,

The rule was dispensed with, said bill read a third time as amended, and passed.

On motion of Mr. Cavarly,

The title of said bill was so amended as to make it read "An act for the relief of James Ryan and others."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendments to said bill and title.

Mr. Wynne, from the committee on Enrolled Bills, reported as correctly enrolled, bills of the following titles:

"An act for the relief of certain persons therein named;"

"An act for the relief of Thomas S. Brockman, late collector of Brown county, and securities;"

Also, chapter 81 Revised Statutes, title "penitentiary;" chapter 74 Revised Statutes, title "negroes, mulattoes, servants and slaves," and have laid the same before the Council of Revision.

A message from the House of Representatives, by Mr. Logan, a Representative.

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have adopted the following resolution:

Resolved by the House of Representatives, the Senate concurring herein, That the Secretary of State shall furnish to the binders of the revised laws, journals &c., sufficient paper from the outside quires and otherwise for the fly leaves of said revised laws, journals, &c.

In the adoption of which they ask the concurrence of the Senate.

Orders of the day:

Bills as amended in the House of Representatives, entitled "An act to incorporate the Chicago and Juliet turnpike company;"

"An act to vacate parts of certain town-plats therein named;"

"An act to authorize the county of Marshall to transcribe records from Putnam county;"

"An act concerning the territorial and other records of Illinois;"

"An act to incorporate the Henderson county turnpike company;" and

"An act to incorporate the Byron Hydraulic company," were taken up, and the amendments severally concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

The question recurring on the question pending at the time of adjournment on Wednesday last, which was upon laying on the table until the 4th day of July next, the amendment proposed by Mr. McMutry to the bill from the House of Representatives entitled "An act to lease the Penitentiary."

Mr. Waters moved a call of the Senate:

During the pendency of the call,

On motion of Mr. Cavarly,

The resolution just received from the House of Representatives in re-

lation to furnishing the binders of the laws and journals with paper for the fly leaves, &c., was taken up, read, and adopted.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion of Mr. Matteson,

The bill from the House of Representatives entitled "An act regulating the assessment and collection of the public revenue," was taken up, read, and

Ordered to a second reading.

On motion of Mr. Edwards,

The rule was dispensed with, said bill read a second time by its title, and referred to the committee on Finance.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed a bill for "An act to authorize the town of Peoria to construct water works."

In the passage of which I am directed to ask the concurrence of the Senate.

The House of Representatives have concurred with the Senate in their amendments to House bills of the following titles, viz:

"An act authorizing the school commissioner of Greene county to sell certain property purchased on execution;"

"An act to provide for paying a portion of the interest on the State debt;"

The House have concurred with the Senate in their amendment to the title of the first named bill.

The House have passed a bill for "An act to provide for the sale of certain property therein described."

In the passage of which I am directed to ask the concurrence of the Senate.

On motion of Mr. Constable,

The further proceedings under the call of the Senate were dispensed with.

The question then recurring on laying on the table until the 4th day of July next, the proposed amendment to the bill from the House of Representatives entitled "An act to lease the Penitentiary,"

Mr. Constable moved to lay said bill and the proposed amendment on the table.

Mr. McMurtry moved the previous question.

And on the question: "Shall the main question be now put?" It was decided in the affirmative.

The question then being taken on the adoption of the proposed amendment, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Buford, Cavarly, Dougherty, Dunlap, Harris, Johnson, Leviston, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Thompson, Vandeventer, Warren and Waters—18.

Those voting in the negative, are,

Messrs. Boal, Catlin, Constable, Davis, Edwards, Fithian, Forman, Harrison, Henry, Judd, Killpatrick, Nunnally, Parker, Powers, Rug-

gles, Smith of Adams, Smith of Madison, Webb, Wilbanks, Worthington and Wynne—21.

The question then being taken on ordering said bill to a third reading, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Catlin, Constable, Davis, Edwards, Fithian, Forman, Harrison, Henry, Johnson, Judd, Killpatrick, Nunnally, Parker, Powers, Ruggles, Smith of Adams, Smith of Madison, Webb, Wilbanks, Worthington and Wynne—22.

Those voting in the negative, are,

Messrs. Allen, Buford, Cavarly, Dougherty, Dunlap, Harris, Leviston, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Thompson, Vandeventer, Warren and Waters—17.

Mr. Edwards moved that the rule be dispensed with, and said bill be read a third time by its title; which was not agreed to.

On motion of Mr. Edwards,

Said bill was referred to the committee on the Penitentiary.

Mr. Wynne, from the committee on Enrolled Bills, reported as correctly enlled, "An act to incorporate the Byron Hydraulic company;"

"An act concerning the territorial and other records of Illinois;"

"An act to incorporate the Upper Alton Cemetery;"

"An act to vacate parts of certain town-plats therein named;" and that the same have this day been laid before the Council of Revision.

Bills from the House of Representatives.

"An act to legalize the acts of the trustees of the town of Chester, in Randolph county," was read, and

Ordered to a second reading.

And the rule having been dispensed with,

On motion of Mr. Killpatrick,

The bill was read a second time by its title, and

Ordered to a third reading.

On motion, the rule was further dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the concurrence of the Senate.

Bills entitled "An act to facilitate the collection of debts by executors and administrators in desperate cases;" and

"An act for the better security of mechanics and others, erecting buildings and furnishing materials for the same," were severally read, and

Ordered to a second reading.

On motion, the rule was dispensed with, said bills read a second time by their titles, and referred to the committee on the Judiciary.

The bill entitled "An act to provide for the printing of the laws as compiled by this General Assembly, and letting the same to the lowest responsible bidder," was read, and

Ordered to a second reading.

On motion of Mr. McMurtry,

The rule was dispensed with, and said bill read a second time by its title.

Mr. Cavarly moved to lay said bill on the table until the 4th day of July next.

Mr. Webb moved the previous question.

And on the question: "Shall the main question be now put?" It was decided in the negative.

On motion of Mr. Cavarly,

The question just taken on ordering the main question was re-considered.

Mr. Webb withdrew the motion for the previous question.

And the question then being taken on laying said bill on the table until the 4th day of July next, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Buford, Catlin, Cavarly, Constable, Dougherty, Dunlap, Forman, Harris, Judd, Markley, Matteson, McMillan, McMurtry, Minard, Vandeventer, Warren and Wynne—18.

Those voting in the negative, are,

Messrs. Boal, Edwards, Fithian, Harrison, Henry, Johnson, Killpatrick, Leviston, Morrison, Nunnally, Powers, Ruggles, Smith of Madison, Thompson, Waters, Webb and Worthington—17.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Parker, from the committee on Enrolled Bills, reported as correctly enrolled, bills of the following titles:

"An act supplemental to an act to reduce the public debt one million of dollars, and to put the Bank of Illinois into liquidation;"

"An act for the benefit of the heirs of Jesse Moore, deceased;"

"An act to amend an act to incorporate the town of Winchester, in Scott county;"

"An act to authorize the erection of a mill-dam in the Great Wabash river, in Wabash county;"

"An act to authorize George H. Wood, executor of William Wood, deceased, to convey certain lands therein mentioned to Godfrey Wilkins;"

"An act to attach a strip of lost land to the counties of Fulton and Peoria;"

"An act to incorporate the Illinois Cotton Manufacturing Company;"

"An act to re-locate a part of the State road leading from the town of Amity to the town of Highland;"

"An act to provide for the donation of lots in towns situated on canal lands to public purposes;"

"An act to incorporate the Batavia Cemetery Association."

And have laid the same before the Council of Revision.

Bills entitled "An act to incorporate the Roscoe Cemetery Association;"

"An act to locate a State road from Mt. Sterling in Brown county, to Griggsville in Pike county;"

"An act to provide for funding the debt of La Salle county, and for the payment of the interest thereon;" and

"An act to incorporate the Rushville High School Association," were severally read, and

Ordered to a second reading.

On motion, the rule was dispensed with, said bills read a second time by their titles, and

Ordered to a third reading.

On motion, the rule was further dispensed with, said bills read a third time by their titles and passed.

Ordered, That the titles of said bills be respectively as aforesaid, and that the Secretary inform the House of Representatives of the concurrence of the Senate.

The bill entitled "An act to re-value school lands in Hancock county," was read, and

On motion of Mr. Killpatrick,

Laid on the table.

The bill entitled "An act to incorporate the Aurora and Chicago plank road company," was read, and

Ordered to a second reading.

On motion of Mr. Matteson,

The rule was dispensed with, said bill read a second time by its title, and referred to the committee on Incorporations.

On motion,

The Senate adjourned until 7 o'clock, P. M.

SEVEN O'CLOCK, P. M.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Boyakin, a Representative:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that the House has concurred with the Senate in the passage of chapter 23 of the Revised Statutes.

Mr. Forman moved to suspend the order of business for the purpose of making a report from a standing committee, which was not agreed to.

A message from the House of Representatives, by Mr. Arnold, a Representative.

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in the passage of a bill for "An act to authorize the appointment of commissioners in other States."

The bill entitled "An act to drain a marsh in Grouse point precinct, in Cook county," was read, and

Ordered to a second reading.

On motion of Mr. Judd,

The rule was dispensed with, and said bill read a second time by its title.

Mr. Judd moved to amend said bill by adding the following as additional sections.

"Sec. 6. The seventh section of "An act to provide for the sale of certain canal lands, and for other purposes," approved July 21st, 1837, is hereby so amended as to authorize the canal commissioner or trustees who may be appointed in pursuance of "An act to provide for the completion of the Illinois and Michigan canal, and the payment of the canal debt," approved February 21st, 1843, to cause block fifteen in the original town of Chicago, to be appropriated if they shall think proper for

the same purpose as is block 14 of said city, by virtue of said first mentioned act: and the said commissioner or trustees shall proceed to perfect the exchange of block fourteen aforesaid for block seven as contemplated by the said act, to which this section is an amendment, and in like manner under the provisions of said act to obtain the title to said block fifteen.

SEC. 7. And the said commissioner or trustees are hereby further empowered to make any arrangement with the city of Chicago, or any individual for the excavation in whole or in part of the canal basin referred to in the seventh section of the act first named as they may judge best and expedient; provided such excavation can be made without any expense to the State."

Add to the title "and for other purposes;" which was agreed to, and said bill as amended,

Ordered to a third reading.

On motion of Mr. Judd,

The rule was dispensed with, said bill read a third time by its title and passed.

On motion of Mr. Judd,

The title of said bill was amended by adding the words "and for other purposes."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendments to said bill and title.

A message from the House of Representatives, by Mr. Loop, a member of the House:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed a bill for "An act to prevent trespassing upon State lands."

In the passage of which they ask the concurrence of the Senate.

The bill entitled, "An act to establish the Jo Daviess county court, was read, and

Ordered to a second reading.

On motion of Mr. Harrison,

The rule was dispensed with, and said bill read a second time by its title.

On motion of Mr. Judd,

The bill was amended by striking out the 10th section.

Mr. Harrison moved to amend section nine by striking out the word "county" in the last line, and inserting the word "State," and add the following at the end of the section:

"That the judge of the Cook county court is hereby required to hold two terms of the Jo Daviess county court annually as follows, viz: on the first Mondays in July and October, and until otherwise provided for by law, and is hereby vested with full jurisdiction as is given to the judge of the Jo Daviess court hercin provided for, and for which said services he shall be entitled to the compensation of two hundred and fifty dollars per annum, to be paid out of the State Treasury; any part of this act or any law to the contrary notwithstanding."

Ordered that the bill be read a third time as amended.

On motion of Mr. Harrison,

The rule was dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary ask the concurrence of the House of Representatives in the amendment of the Senate.

The bill entitled "An act respecting tax sales in the city of Alton," was read, and

Ordered to a second reading.

On motion of Mr. G. Smith,

The rule was dispensed with, and said bill read a second time by its title, and

On motion of Mr. Webb,

Said bill was referred to the committee on the Judiciary.

The bill entitled "An act for the relief of Stevens and Trenchery," was read, and

Ordered to a second reading.

On motion of Mr. G. Smith,

The rule was dispensed with, said bill read a second time by its title, and referred to the committee on Finance.

Mr. Markley, on leave, reported from the committee on Public Roads, to which had been referred a bill from the House of Representatives entitled "An act for the location of certain State roads therein named, and for the vacation of other State roads," without amendment; said bill was

Ordered to a third reading.

On motion, the rule was dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the concurrence of the Senate.

Bills entitled "An act relating to the tax collector of Franklin county for the year 1843;"

"An act to build a bridge across the Fox river, at Ottawa, in La Salle county;"

"An act for the relief of the securities of H. Vanderhoof, late a collector of Jasper county;"

"An act to exempt burying grounds from taxes, executions and attachments;"

"An act to authorize actions at law against foreign corporations;"

"An act for the relief of Joseph Reynolds of Gallatin county," were severally read, and

Ordered to a second reading.

On motion, the rule was dispensed with, said bills severally read a second time by their titles, and

Ordered to a third reading.

On motion, the rule was further dispensed with, said bills severally read a third time by their titles and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill entitled "An act to authorize the counties of Stephenson, Carroll and Ogle to levy a special tax for county purposes," was read, and

Ordered to a second reading.

On motion of Mr. Ruggles,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Ruggles,

The rule was dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Matteson, from the committee on Finance, to which was referred a bill from the House of Representatives entitled "An act regulating the assessment and collection of the public revenue," reported the same back without amendment.

On motion,

The Senate adjourned.

SATURDAY, MARCH 1, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Edson.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed bills of the following titles:

"An act for the benefit of Thomas H. Campbell;"

"An act for the relief of James Mitchell."

In the passage of which several bills they ask the concurrence of the Senate.

The House have concurred with the Senate in their amendments to bills of the following titles:

"An act to incorporate the Lake Michigan Hydraulic Company;"

"An act for the relinquishment by the State of Illinois, to the city of Quincy, of her right to the bed of the railroad as laid out through said city;"

"An act for the relief of Amos Durbin;"

"An act to authorize the school commissioners of Tazewell and McLean counties to pay over school moneys to the counties of Woodford and Mason;"

"An act for the benefit of schools of township eight north of range six east in Effingham county;" and

"An act to provide for the election of certain officers therein named, and to fix the tenure of their offices."

The House have concurred with the Senate in the passage of bills of the following titles:

"An act for the relief of Joseph L. Ruddick and Margaret Ruddick;"

"An act to legalize the acts of William E. Franklin, as Notary Public in Rock Island county;"

"An act to save a portion of the revenue from being lost;"

"An act to incorporate the town of Golconda;"

"An act concerning the town of Aurora;"

"An act concerning the location of a road therein mentioned;"

"An act to amend 'An act to provide for the election of probate justices of the peace;"

"An act to vacate a part of the town plat of the town of Perry, in the county of Pike;"

"An act in relation to certain mill dams in the Little Wabash river;"

"An act to authorize Peck and Carpenter to build a mill dam across Fox river;"

"An act to re-locate the public square in the town of Plainfield, Will county, State of Illinois;"

"An act to incorporate the Rock river Dam and Bridge Company, and to improve the navigation of said river;"

"An act to change the name of the town of Fairfield, in Pike county, to that of Pleasant Hill;" and

"An act to legalize the transcribed records of Madison county for lands situate in the county of McDonough."

The House have also concurred with the Senate in the passage of chapters 23, 74, 81 and 90, of Revised Statutes.

The House have concurred with the Senate in the passage of bills of the following titles, as amended by the House, viz:

"An act for the relief of certain settlers on State lands;"

"An act concerning the counties of Union, Alexander, and Pulaski;"

"An act authorizing administrators and executors from other States to prosecute suits in this State," and

"An act concerning corporations."

In which amendments they ask the concurrence of the Senate.

A message from the Council of Revision, by Mr. Hawley, their Secretary:

Mr. Speaker: I am directed to say that the Council of Revision has approved bills of the following title, to wit:

"An act concerning the Territorial and other Records of Illinois;"

"An act for the relief of certain persons therein named;"

"An act for the relief of Thomas S. Brockman late collector of Brown county and securities;"

"An act to vacate parts of certain town plats therein named;"

"An act to provide for the donation of lots in towns situated on canal lands, to public purposes;"

"An act to authorize George H. Wood, executor of William Wood, deceased, to convey certain lands therein mentioned to Godfrey Wilkins;"

"An act for the benefit of the heirs of Jesse Moore, deceased;"

"An act to attach a strip of lost land to the counties of Fulton and Peoria;"

"An act to authorize the erection of a mill-dam in the Great Wabash river in Wabash county;"

"An act to incorporate the Upper Alton cemetery;"

"An act to re-locate a part of the State road leading from the town of Amity to the town of Highland;"

"An act to amend an act to incorporate the town of Winchester in Scott county;"

"An act to incorporate the Batavia Cemetery Association;"

"An act to incorporate the Byron Hydraulic company;"

"An act supplemental to an act to reduce the public debt one million dollars and to put the Bank of Illinois into liquidation;"

"An act to incorporate the Illinois Cotton Manufacturing Company;"

"An act to alter and amend the law concerning interest on money and usury," is returned with objections; which objections are as follows:

The Council of Revision have had under consideration an act entitled

"An act to alter and amend the law concerning interest on money and usury," and return the same to the Senate in which it originated as improper to become a law for the following reasons:

The act provides that if the defendant interposes and can sustain the defence of usury, he shall recover full costs, and the plaintiff shall forfeit three-fourths of the whole interest charged; and shall have execution for the balance only, which may remain due upon the contract after deducting three-fourths of the interest; which three-fourths, the court or justice, shall compute and award one-third, to be retained by the defendant; and render judgment against said defendant for the other two-thirds thereof in favor of the school commissioner of the county, &c. The act also provides that the person who pays or delivers any greater sum or value than six per cent. by way of interest may recover against the person who shall take or receive the same, three-fold the amount of such interest; and declares that the provisions of the act shall extend to suits commenced by or in the name of assignees of promissory notes and due bills, with or without notice.

These provisions are highly penal; and in all cases where an assignee may be plaintiff, the same penalties are inflicted upon him whether he had or had not notice of the original turpitude of the transaction, which are provided for, as applicable to the original creditor. And it is further provided that the debtor, the creditor, being alone, may be a witness to prove the usury; and the creditor if he shall offer his testimony shall also be a witness to prove the contrary.

Both of these provisions appear to infringe upon the principles of natural justice. The first which punishes an innocent purchaser of a note or due bill, without notice of the guilt in the original transaction is contrary to all sound and just legislation, and the latter provision cuts the assignee off from the privilege of a fair and impartial trial, inasmuch as it makes the debtor a witness, and offers the same advantage to the assignee where he is a plaintiff when he cannot know any thing of the facts of the original transaction.

The assignor of course would be excluded of being a witness, in favor of the assignee on account of his interest in the event of a suit, he being liable to the assignee for the amount of the note, in case the assignee should fail in his suit.

THOMAS FORD,
SAM'L D. LOCKWOOD,
WILLIAM WILSON,
R. M. YOUNG,
J. D. CATON.

On motion of Mr. Constable,

The order of business was suspended, and the bill, entitled "An act to alter and amend the law concerning interest on money and usury," together with the objections thereto by the Council of Revision, was taken up for consideration.

Mr. Cavarly moved that the same be referred to a select committee, with leave to report them back at any time.

Mr. Matteson moved that the motion to refer be so amended as to make it one to refer with instructions: "To insert that for money actually loaned,

ten per cent. may be received, without being subject to the penalties of this act."

On motion of Mr. Constable,

The motion to amend with instructions, was laid on the table.

The question then being taken, on the motion of Mr. Cavarly, to refer, it was decided in the affirmative.

Ordered, That Messrs. Cavarly, Judd and Constable, be said select committee.

A message from the House of Representatives, by Mr. Logan, a member of the House of Representatives:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in the passage of a bill for "An act to incorporate the Sangamon and Morgan Railroad company;" as amended by the House of Representatives.

In which amendment I am directed to ask the concurrence of the Senate.

A message from the House of Representatives, by Mr. Ross, a Representative:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed a bill for "An act in relation to the county seat of Fulton county."

In the passage of which I am directed to ask the concurrence of the Senate.

A message from the House of Representatives, by Mr. Aldrich, a member of the House:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed bills of the following titles:

"An act authorizing the city of Galena to levy a tax," and

"An act authorizing Masters in Chancery to grant writs of Certiorari;"

In the passage of which bills I am directed to ask the concurrence of the Senate.

A message from the House of Representatives by Mr. Cloud their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have adopted the following resolution:

Resolved by the General Assembly, the Senate concurring herein, That the Public Printer upon the discretion and selection of the Governor, be authorized and required to publish in pamphlet form, and transmit to the clerks of the county commissioners' and circuit courts of the several counties of this State, such laws of a general nature passed at this session of the General Assembly, as are in force upon their passage, or soon after the adjournment of the Legislature.

In the adoption of which I am directed to ask the concurrence of the Senate.

The House of Representatives have passed a bill for "An act to limit the tenure of office of Masters in Chancery."

In the passage of which, I am directed to ask the concurrence of the Senate.

A message from the House of Representatives by Mr. Cloud their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have adopted the following resolution:

Resolved by the House of Representatives, the Senate concurring therein, That the private acts of the present session, be ordered to be bound in the same manner as the Journals and Reports are bound, and that the same price be allowed, as is at present allowed for binding said Journals and Reports.

In the adoption of which I am directed to ask the concurrence of the Senate.

A message from the Governor, by Thompson Campbell, Esq., Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing.

The bill reported from the committee on Finance on yesterday, upon the consideration of which the Senate adjourned, entitled "An act regulating the assessment and collection of the public revenue, being again up,

Mr. Dougherty moved to amend the 11th section of said bill by adding the words, "and his office shall be vacated."

Mr. McMurtry moved to lay the proposed amendment on the table; which was not agreed to.

The proposed amendment was then agreed to.

Mr. Constable moved that the 13th section of the bill be stricken out.

Mr. Webb called for a division, so as to take the vote first on striking out the latter part of said section, relating to town lots.

On motion of Mr. Constable,

The bill and proposed amendment were referred to a select committee of five, with leave to report them back any time during the session.

Ordered, That Messrs. Constable, Judd, Webb, McMurtry and Cavarly be that committee.

Mr. Foranan, from the committee on the Penitentiary, to which was referred a bill from the House of Representatives, entitled, "An act to lease the Penitentiary," reported the same back, without amendment, and recommended its passage.

On motion of Mr. Dougherty,

Leave was granted to Mr. N. Buckmaster, to withdraw from the Secretary's table, the amendment proposing that the Penitentiary be leased to said Buckmaster.

On motion, said bill was read a third time by its title.

Mr. Webb moved a call of the Senate, which after some time, was, on motion, dispensed with.

The question being then taken:

"Shall the bill pass?"

It was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Catlin, Constable, Davis, Edwards, Fithian, Forman, Harrison, Henry, Johnson, Judd, Killpatrick, Morrison, Nunnally, Parker, Powers, Ruggles, Smith of Adams, Smith of Madison, Thompson, Webb, Wilbanks, Worthington and Wynne—24.

Those voting in the negative, are,

Messrs. Allen, Buford, Cavarly, Dougherty, Dunlap, Harris, Leviston, Markley, Matteson, McMillan, McMurtry, Ryan, Vandeventer, Warren, and Waters—15.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the concurrence of the Senate.

A message from the House of Representatives by Mr. Armstrong, a Representative.

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in the passage of bills of the following titles, viz:

"An act to authorize William Clapp and John Hodges to collect taxes;"

"An act for the relief of John Cooper, collector of revenue for Madison county, for the year 1841;"

"An act supplemental to 'An act to establish and maintain common schools.'"

The House have also concurred with the Senate in the passage of a bill for "An act to amend an act entitled 'An act regulating the mode of taking depositions, and to provide for the perpetuating of testimony,'" approved, Feb. 9, 1827, as amended by the House of Representatives.

In which amendment, I am directed to ask the concurrence of the Senate.

Mr. Vandeventer, from the committee on Incorporations, to which was referred a bill from the House of Representatives, entitled "An act to incorporate the Aurora and Chicago Plank Road Company," reported the same back without amendment.

Ordered, That the bill be read a third time.

On motion of Mr. Matteson,

The rule was dispensed with, said bill read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the concurrence of the Senate.

On motion of Mr. Nunnally,

The order of business was suspended, and the several resolutions, received from the House of Representatives this morning, relating to the binding and publication of certain private acts, and certain other general acts, were taken up for consideration.

The resolution requiring the Public Printer to publish in pamphlet form, by the direction of the Governor, general acts, was read; when,

Mr. Constable moved to amend the same by striking out all after the word "herein," and add the following instead:

"That the Secretary of State be instructed to publish in the Illinois State Register and the Sangamon Journal, all laws of a general nature passed at this session of the General Assembly, which take effect from and after their passage or immediately thereafter, so soon as the same can be so done after the adjournment of the said General Assembly, which laws so published shall be evidence of what is in them enacted; *Provided*, that the cost of publication in each paper shall not exceed one hundred dollars, and that a copy of each shall be furnished to the clerks of the circuit and county commissioners' courts of each county in this State."

Mr. McMurtry moved to amend the amendment by striking out all from the word "provided" to the end thereof; which was,

On motion of Mr. Cavarly,

Laid on the table.

Mr. McMurtry moved the previous question;
And the question being taken—"Shall the main question be now put?"
It was decided in the affirmative,

The question then being taken, on the adoption of the amendment, it was decided in the affirmative.

The resolution, as amended, was then concurred in.

The other resolution, proposing that private acts of the present session be bound in the same manner as the Journals and Reports, &c., was read and concurred in.

Ordered, That the Secretary inform the House of Representatives of the concurrence of the Senate, and ask their concurrence in the amendment to the first named resolution.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed a bill for "An act making appropriations for the years 1845 and 1846."

In the passage of which, I am directed to ask the concurrence of the Senate.

Mr. Ryan, from the committee on Canal and Canal Lands, to which was referred the bill, entitled "An act for the final settlement of accounts with the contractors upon the Illinois and Michigan canal," reported the same back with an amendment; which was concurred in.

Mr. Webb moved to amend the proviso to said bill by inserting the words after the word "issued" "and to be issued;" which was agreed to.

And on the question—"Shall said bill, as amended, be ordered to a third reading?"

It was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Cavarly, Constable, Dougherty, Edwards, Fithian, Forman, Harris, Henry, Johnson, Judd, Killpatrick, Leviston, Markley, Matteson, McMurtry, Powers, Ruggles, Ryan, Smith of Adams, Thompson, Vandeventer, Warren, Webb, Wilbanks and Worthington—27.

Those voting in the negative, are,

Messrs. Catlin, Dunlap, Morrison, Nunnally and Parker—5.

On motion of Mr. Ryan,

The rule was dispensed with, said bill read a third time, as amended, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed a bill for "An act to incorporate the Mount Palatine Academy."

In the passage of which, I am directed to ask the concurrence of the Senate.

Mr. Cavarly, from the select committee to which was referred the bill returned from the Council of Revision, entitled "An act to alter and amend the law concerning interest on money and usury," together with the objections of the Council of Revision to said bill, and recommended

the passage of said bill, the objections of the Council of Revision to the contrary notwithstanding.

And on the question—"Shall said bill be re-passed?"

It was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Catlin, Cavarly, Constable, Dougherty, Dunlap, Forman, Harris, Johnson, Killpatrick, Leviston, Markley, McMurtry, Morrison, Nunnally, Parker, Ruggles, Smith of Adams, Thompson, Vandeventer, Warren, Waters, Webb, Wilbanks and Wynne—25.

Those voting in the negative, are,

Messrs. Boal, Edwards, Fithian, Henry, Judd, Matteson, Minard, Powers, Ryan, Smith of Madison and Worthington—11.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Thompson, from the committee on School Lands and Education, to which was referred sundry bills, petitions and resolutions, reported the same back, and said committee were discharged from the further consideration thereof.

On motion of Mr. Worthington,

Said bills, petitions and resolutions were laid upon the table.

Mr. Ruggles, from the committee on Public Roads, to which was referred sundry petitions, reported the same back, and said committee were discharged from a further consideration thereof.

On motion of Mr. Ruggles,

Said petitions were laid on the table.

Mr. Harris, from the committee on Petitions, to which was referred the petition of S. R. Baggs, &c., reported the same back, and said committee were discharged from a further consideration of said petition.

On motion of Mr. Harris,

Said petition was laid on the table.

Mr. Ruggles, from the committee on Public Roads, to which was referred a bill, entitled "An act to amend an act, entitled 'An act concerning public roads,'" reported the same back without amendment.

On motion of Mr. Ruggles,

Said bill was laid on the table.

Mr. Dougherty, from the committee on Incorporations, to which was referred sundry bills, petitions and resolutions, reported the same back, and said bills, petitions and resolutions, were,

On motion of Mr. Dougherty,

Laid on the table.

Mr. Vandeventer, from the committee on Incorporations, to which was referred the petition of Scoby Stewart, reported the same back, and said committee were discharged from the further consideration of the subject.

On motion of Mr. Constable,

Said petition was withdrawn from the files of the Senate.

Mr. Matteson, from the committee on Finance, to which was referred a bill from the House of Representatives, entitled "An act authorizing the securities of the late collector of Cass county to settle with the State," reported the same back without amendment.

Ordered, That the bill be read a third time.

On motion of Mr. Matteson,

The rule was dispensed with, said bill read a third time by its title, and passed.

Mr. Matteson, from the same committee, to which was referred a like bill, entitled "An act for the benefit of Garret M. Blue, late sheriff of the county of Livingston," reported the same back without amendment.

Ordered, That the same be read a third time.

On motion of Mr. Matteson,

The rule was dispensed with, said bill read a third time by its title, and passed.

Mr. Cavarly, from the committee on the Judiciary, to which was referred a like bill, entitled "An act to facilitate the collection of debts by executors and administrators, in desperate cases," reported the same back without amendment.

Ordered, That the bill be read a third time.

On motion of Mr. Cavarly,

The rule was dispensed with, said bill read a third time and passed.

Ordered, That the titles of the three last named bills be as aforesaid, and that the Secretary inform the House of Representatives of the concurrence of the Senate.

Mr. Cavarly, from the committee on the Judiciary, to which was referred a bill, from the House of Representatives, entitled "An act respecting tax sales in the city of Alton," reported the same back, and the committee were discharged from its further consideration.

Mr. Dougherty moved that the bill be laid on the table; and the question being taken thereon, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Buford, Catlin, Cavarly, Dougherty, Fithian, Harris, Johnson, Leviston, Markley, Matteson, McMurtry, Minard, Morrison, Nunnally, Parker, Powers, Smith of Adams, Warren, Waters, Wilbanks and Wynne—22.

Those voting in the negative, are,

Messrs. Boal, Edwards, Forman, Harrison, Henry, Judd, Killpatrick, Ruggles, Smith of Madison, Thompson, Vandeventer, Webb and Worthington—13.

Mr. Catlin, from the committee on Retrenchment, to which was referred a like bill, entitled "An act to regulate the salaries and compensation of the several officers and persons therein mentioned," reported the same back, without amendment.

Mr. McMurtry moved the previous question.

And the question being taken—"Shall the main question be now put?"

It was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Catlin, Constable, Dougherty, Edwards, Fithian, Harris, Johnson, Leviston, Markley, Nunnally, Powers, Smith of Adams, Smith of Madison, Waters, Wilbanks and Worthington—18.

Those voting in the negative, are,

Messrs. Cavarly, Dunlap, Forman, Harrison, Henry, Judd, Killpatrick, Matteson, McMurtry, Minard, Morrison, Parker, Ruggles, Ryan, Thompson, Vandeventer, Warren, Webb and Wynne—19.

Mr. Matteson, from the committee on Finance, to which was referred a like bill, entitled "An act for the relief of Stevens and Trenchery," reported the same back without amendment.

On motion of Mr. Henry,

The bill was laid on the table until the 4th of July next.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Killpatrick, from the committee on School Lands and Education, to which was referred the report of the President and Directors of the Illinois Asylum, for the education of the deaf and dumb, reported the same back, and the committee were discharged from its further consideration.

On motion of Mr. McMurtry,

Said report was laid on the table.

On motion of Mr. Henry,

The order of business was suspended, and Senate bill, entitled "An act to incorporate the Sangamon and Morgan Railroad Company," as amended by the House of Representatives, and said amendment concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion of Mr. Dougherty,

The order of business was further suspended, and the bill from the House of Representatives, entitled "An act to incorporate the Hygean Seminary at Western Saratoga, in Union county," was taken up for consideration, and,

On motion of Mr. Dougherty,

Read by its title, and

Ordered to a second reading.

On motion, the rule was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

Mr. Dougherty moved that the rule be further dispensed with, and said bill read a third time by its title.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

And the question recurring on the question pending at the time of adjournment, on dispensing with the rule, and that the bill from the House of Representatives entitled "An act to incorporate the Hygean Seminary, at Western Saratoga, in Union county," be now read a third time by its title, and the question being taken, it was decided in the affirmative, and said bill was read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Wynne, from the committee on Enrolled Bills, reported as correctly enrolled "An act to authorise the county of Marshall to transcribe records from Putnam county;"

"An act to incorporate the Alton Cemetery;"

"An act to authorise the appointment of commissioners in other States;"

"An act to incorporate the Chicago and Juliet Turnpike Company;"

Chapter 90 of the Revised Statutes.

And that the same have been laid before the Council of Revision.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with the Senate in their amendments to House bills of the following titles, viz:

"An act to drain a marsh in Grouse Point precinct, in Cook county;" and

"An act for the relief of James Ryan."

Mr. Constable, from the select committee, to which was referred the bill from the House of Representatives entitled "An act regulating the assessment and collection of the public revenue," reported the same back with an amendment; which was concurred in.

Mr. Constable moved to amend as follows:

Amend by striking out "section 15" and inserting "property both real and personal shall hereafter be appraised according to the true value thereof, any law to the contrary notwithstanding."

Mr. Judd moved a call of the Senate; pending the call,

Mr. Cavarly, on leave, from the Judiciary, to which was referred the bill from the House of Representatives entitled "An act for the better security of mechanics and others erecting buildings and furnishing materials for the same," with an amendment; which was concurred in.

On motion of Mr. Forman,

Said bill was laid on the table.

On motion of Mr. Ryan,

The order of business was suspended, and the bill from the House of Representatives, some days since laid on the table, entitled "An act in relation to common schools," was taken up.

Mr. Ryan moved to amend said bill by striking out all after the enacting clause, and inserting as follows:

"SEC. 1. All laws requiring the Attorney General to reside at the seat of government be and they are hereby repealed."

The question being taken on the adoption of the proposed amendment, it was decided in the negative.

On motion of Mr. McMurtry,

Said bill was laid on the table.

On motion of Mr. Webb,

The further call of the Senate was dispensed with.

Mr. Parker, from the committee on Enrolled Bills, reported as correctly enrolled the following:

Chapter 23, Revised Statutes, title "Courts."

"An act to save a portion of the public revenue from being lost;"

"An act concerning the town of Aurora in Kane county;"

"An act to legalize the acts of Wm. C. Franklin, a Notary Public in Rock Island county;"

"An act to incorporate the Rock river Dam and Bridge Company and improve the navigation of said river;"

"An act to legalize the transcribing records of Madison county for lands situate in the county of McDonough;"

"An act to change the name of the town of Fairfield, in Pike county to that of Pleasant Hill;"

"An act to authorise Peck and Carpenter to build a mill dam across Fox river;"

"An act to re-locate the public square in the town of Plainfield, Will county, State of Illinois;"

"An act concerning the re-location of a road therein mentioned;"

"An act to amend 'An act to provide for the election of probate justices of the peace;'"

"An act for the relief of Joseph L. Ruddick and Margaret Ruddick;"

"An act in relation to certain mill dams in the Little Wabash river;"

"An act to incorporate the Henderson County Turnpike Road Company;"

"An act to vacate a part of the town plat of the town of Perry, in the county of Pike;"

"An act supplementary to 'An act to establish and maintain common schools;'"

"An act for the relief of John Cooper, collector of the revenue for Madison county, for 1811."

And that the same have been laid before the Council of Revision.

Mr. Cavarly called for a division of the question, upon the motion of Mr. Constable to strike out the remainder of the 13th section of the bill entitled "An act regulating the assessment and collection of the public revenue," now before the Senate, and insert so as to take the vote first on striking out.

The question being taken on striking out, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Catlin, Constable, Dougherty, Dunlap, Fithian, Forman, Johnson, Morrison, Nunnally, Parker, Warren and Worthington—13.

Those voting in the negative, are,

Messrs. Boal, Buford, Cavarly, Edwards, Harris, Harrison, Henry, Judd, Killpatrick, Leviston, Markley, Matteson, McMillan, McMurtry, Minard, Powers, Ruggles, Ryan, Smith of Adams, Smith of Madison, Thompson, Vandeventer, Webb, Wilbanks and Wynne—25.

Mr. Worthington moved to amend the bill by adding to the 113th section, the following:

"And for making out for the collector an alphabetical list of personal property, one cent for each name."

Mr. Dougherty moved that the same be laid on the table; and the question being taken thereon, it was decided by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Buford, Cavarly, Dougherty, Dunlap, Fithian, Harris, Harrison, Johnson, Markley, McMillan, McMurtry, Morrison, Parker, Powers, Ruggles and Smith of Adams—18.

Those voting in the negative, are,

Messrs. Catlin, Constable, Edwards, Forman, Henry, Judd, Killpatrick, Leviston, Matteson, Minard, Ryan, Smith of Madison, Thompson, Vandeventer, Warren, Webb, Wilbanks and Worthington—18.

There being a tie, Mr. Speaker voted in the affirmative; so the amendment was laid on the table.

On motion of Mr. Edwards,

The 113th section of the bill was amended by adding the words "provided, that no fees shall be paid on the delinquent list, until collected by the State."

A message from the House of Representatives by Mr. Aldrich, a member of the House:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in their amendment to a bill for "An act to establish the Jo Daviess county court."

On motion of Mr. Edwards,

The rule was dispensed with, and the bill under consideration, read a third time by its title.

The question then being taken: "Shall the bill pass?" It was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Buford, Cavarly, Edwards, Harrison, Henry, Judd, Killpatrick, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Powers, Ruggles, Ryan, Smith of Adams, Smith of Madison, Thompson, Vandeventer, Webb and Wynne—23.

Those voting in the negative, are,

Messrs. Allen, Catlin, Constable, Dougherty, Dunlap, Fithian, Forman, Harris, Johnson, Leviston, Nunnally, Parker, Warren, Wilbanks and Worthington—15.

Ordered, That the title be as aforesaid, and that the Secretary ask the concurrence of the House of Representatives in the amendments of the Senate.

Mr. Parker, from the committee on Enrolled Bills, reported as correctly enrolled, "An act to authorise William Clapp and John Hodges to collect taxes;"

"An act to amend an act, entitled 'An act regulating the mode of taking depositions and to provide for the perpetuity of testimony,'" approved February 9th, 1827;

"An act to incorporate the town of Golconda."

And that the same have been laid before the Council of Revision.

On motion of Mr. Webb,

The order of business was suspended, and the bill from the House of Representatives entitled "An act making appropriations for the years 1845 and 1846," was taken up for consideration, and on motion, read a first time by its title and

Ordered to a second reading.

On motion, the rule was dispensed with, said bill read a second time by its title.

Mr. Wynne moved that the bill be amended by striking out 'four,' relating to the per diem compensation of the Speakers of the two Houses, and inserting 'six' in lieu thereof; and further by striking out 'three,' relating to the compensation of the Sergeant-at-Arms of the Senate, and inserting 'four' in lieu thereof; which was not agreed to.

Mr. Constable moved that the Senate resolve itself into a committee of the whole for the consideration of said bill; which was not agreed to.

On motion of Mr. Matteson,

That part of the bill providing for the payment of three hundred and fourteen dollars to Joseph C. Duncan, was stricken out.

Mr. McMurtry moved that the words 'including clerk hire,' be stricken from that part of the bill providing for payment to the Secretary of State; which was,

On motion of Mr. Webb,

Laid on the table.

Mr. Ruggles moved that 'sixteen hundred' be stricken from the appropriation to the Secretary of State and insert in lieu 'two thousand;' and the question being taken thereon, it was decided by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Buford, Cavarly, Dougherty, Forman, Harris, Harrison, Johnson, Judd, Killpatrick, Matteson, McMillan, McMurtry, Minard, Morrison, Ruggles, Ryan, Thompson, Vandeventer and Wynne—19.

Those voting in the negative, are,

Messrs. Allen, Boal, Catlin, Constable, Dunlap, Edwards, Fithian, Henry, Leviston, Markley, Nunnally, Parker, Powers, Smith of Adams, Smith of Madison, Warren, Webb, Wilbanks and Worthington—19.

There being a tie, Mr. Speaker voted in the affirmative; so the motion to thus amend was agreed to.

Mr. Warren moved that that part of the bill making appropriation to the three justices of the Supreme court last elected, be amended by striking out 'one thousand' and inserting in lieu 'eleven hundred and twenty-five.'

Mr. Buford moved to amend the proposed amendment, by inserting 'twelve hundred and fifty,' in lieu of 'eleven hundred and twenty-five.'

Mr. Dougherty moved that the amendment and the amendment to the amendment be laid on the table; and the question being taken thereon, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Catlin, Cavarly, Constable, Dougherty, Dunlap, Edwards, Forman, Harris, Henry, Leviston, Morrison, Parker, Powers, Smith of Adams, Smith of Madison, Webb, Wilbanks and Worthington—20.

Those voting in the negative, are,

Messrs. Buford, Harrison, Johnson, Judd, Killpatrick, Markley, Matteson, McMillan, McMurtry, Minard, Nunnally, Ruggles, Ryan, Thompson, Vandeventer, Warren and Wynne—17.

On motion of Mr. Harrison,

That part of the bill making appropriation for the Judge of the Cook county court, was amended by adding thereto the following:

"And for holding the Jo Daviess county court for the years eighteen hundred and forty-five, and eighteen hundred and forty-six, the sum of five hundred dollars to be paid quarterly."

Mr. Forman moved also that that part of the bill making appropriation to the three justices of the Supreme court last elected, be amended by striking out 'one thousand' and inserting in lieu 'eleven hundred and seventy-five.'

Mr. Constable moved that the same be laid on the table; and the ques-

tion being taken on this motion, it was decided, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Catlin, Cavarly, Constable, Dougherty, Dunlap, Edwards, Harris, Leviston, Parker, Powers, Smith of Adams, Smith of Madison, Vandeventer, Webb, Wilbanks and Worthington—18.

Those voting in the negative, are,

Messrs. Buford, Forman, Harrison, Johnson, Judd, Killpatrick, Markley, Matteson, McMillan, McMurtry, Minard, Morrison, Nunnally, Ruggles, Ryan, Thompson, Warren and Wynne—18.

There being a tie, Mr. Speaker voted in the negative; so the motion to lay on the table was negatived.

Mr. Constable moved a call of the Senate, which proceeded;

During the pendency of the call,

On motion of Mr. McMurtry,

Bills from the House of Representatives, were taken up entitled "An act to incorporate the Cherry Grove Cemetery in Knox county;" and

"An act to incorporate the town of Knoxville, in Knox county," read a first time, severally by their titles and

Ordered to a second reading.

On motion of Mr. McMurtry,

The rule was dispensed with, said bills read a second time, and

Ordered to a third reading.

And the rule having been on motion, further dispensed with, said bills were read a third time by their titles and passed.

Ordered, That the titles be as aforesaid, and that the Secretary inform the House of Representatives of the concurrence of the Senate.

On motion of Mr. Constable,

Further proceeding under the call of the Senate was dispensed with.

The question then being taken on the motion before the Senate, being that of Mr. Forman, to amend the bill entitled "An act making appropriations for the years 1845 and 1846," by striking out 'one thousand,' and inserting 'eleven hundred and seventy-five,' it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Buford, Forman, Harrison, Johnson, Judd, Killpatrick, Markley, McMillan, McMurtry, Minard, Morrison, Ruggles, Ryan, Thompson and Warren—15.

Those voting in the negative, are,

Messrs. Allen, Boal, Catlin, Cavarly, Constable, Dougherty, Dunlap, Edwards, Harris, Henry, Leviston, Nunnally, Parker, Powers, Smith of Adams, Smith of Madison, Vandeventer, Waters, Webb, Wilbanks and Worthington—21.

On motion of Mr. Judd,

The proviso to the first section of the bill providing for the payment of the Judge and Prosecuting Attorney of the Cook county court, from the county treasury of Cook county, was stricken out.

Mr. Warren moved that that part of the bill providing for compensation to the Speakers of the two Houses, be amended by striking out 'four' and inserting 'five;' and the question being taken thereon, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Buford, Cavarly, Dunlap, Edwards, Forman, Harrison, Henry, Johnson, Judd, Killpatrick, Leviston, Markley, Matteson, McMillan, Minard, Morrison, Powers, Ruggles, Ryan, Smith of Adams, Vandeventer, Warren, Worthington and Wynne—24.

Those voting in the negative, are,

Messrs. Allen, Boal, Catlin, Constable, Dougherty, Nunnally, Smith of Madison, Waters, Webb and Wilbanks—10.

Mr. Warren moved that the bill be further amended by striking out 'four' in the provision for the pay of the clerks of the House of Representatives and the Secretaries of the Senate, and inserting 'five.'

Mr. McMurtry moved that the proposed amendment be amended by striking out 'five' and inserting 'three.'

Mr. Webb called for a division of the question so as to vote first on striking out 'four.'

The question then being so taken, it was decided in the negative.

Mr. Constable moved that the provision for the compensation of the Sergeant-at-Arms of the Senate, be amended by striking out 'three,' and inserting 'four;' which amendment Mr. McMurtry moved to lay on the table; and the question being taken thereon, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Catlin, Dougherty, Edwards, Harrison, Henry, Johnson, Killpatrick, Leviston, Markley, McMurtry, Powers, Ruggles, Smith of Madison, Vandeventer, Waters, Webb and Wilbanks—19.

Those voting in the negative, are,

Messrs. Buford, Cavarly, Constable, Forman, Judd, Matteson, McMillan, Minard, Morrison, Nunnally, Ryan, Smith of Adams, Thompson, Warren, Worthington and Wynne—16.

Mr. Cavarly moved that said provision concerning the Sergeant-at-Arms, be amended by inserting after the words 'three dollars,' the words 'and seventy-five cents;' and the question being taken thereon, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Cavarly, Constable, Forman, Harrison, Judd, Matteson, McMillan, Minard, Morrison, Nunnally, Parker, Ryan, Smith of Adams, Thompson, Warren, Worthington and Wynne—17.

Those voting in the negative, are,

Messrs. Allen, Boal, Buford, Catlin, Dougherty, Dunlap, Edwards, Henry, Johnson, Killpatrick, Leviston, Markley, McMurtry, Powers, Ruggles, Smith of Madison, Vandeventer, Waters, Webb and Wilbanks—20.

Mr. Warren moved that said provision be amended by inserting after 'three dollars,' the words 'and fifty cents;' and the question being taken thereon, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Buford, Cavarly, Constable, Dunlap, Forman, Harrison, Judd, Killpatrick, Leviston, Matteson, McMillan, Minard, Morrison, Nunnally, Parker, Ryan, Smith of Adams, Thompson, Warren, Worthington and Wynne—21.

Those voting in the negative, are,

Messrs. Allen, Boul, Catlin, Dougherty, Edwards, Henry, Johnson, Markley, McMurtry, Powers, Ruggles, Smith of Madison, Vandeventer, Waters, Webb and Wilbanks—16.

Mr. Webb moved that the bill be further amended by inserting after 'enrolling and engrossing clerks,' the words 'and the assistant enrolling and engrossing clerks, two dollars per day.'

On motion of Mr. Dougherty,

Said amendment was amended by striking out the words proposed to be inserted and inserting in lieu thereof the following:

"To the assistant enrolling and engrossing clerk of the Senate and House of Representatives, first employed, the sum of three dollars per day, and for the additional assistants appointed by order of either House, the sum of two dollars per day."

The question was then taken on the adoption of the amendment, as amended, and decided in the affirmative.

Mr. Forman moved that the bill be further amended by striking out the provision for the pay of J. Shutt for work upon "Tract Books;" and the question being taken thereon, it was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Buford, Catlin, Constable, Dougherty, Dunlap, Fithian, Forman, Harris, Harrison, Judd, Parker, Thompson and Worthington—14.

Those voting in the negative, are,

Messrs. Boul, Cavarly, Edwards, Johnson, Killpatrick, Leviston, Markley, Matteson, McMurtry, Minard, Powers, Ruggles, Ryan, Smith of Adams, Vandeventer, Warren, Waters, Webb, Wilbanks and Wynne—20.

Mr. Cavarly moved to amend No. 31, in the last line, by striking out the words 'the sum of four hundred and fifty dollars,' and inserting in lieu thereof the following:

"And for copying the Revised Laws for the public printer—dollars."

Which amendment was amended, on motion of Mr. Cavarly, by filling the blank with 'seven hundred;' and the amendment as amended, or modified, adopted.

On motion of Mr. Edwards,

The last line of No. 40, was amended by striking out 'sixty' and inserting 'eighty-one.'

Mr. G. Smith moved to amend the bill by adding the following thereto:

"SEC. To Nathaniel Buckmaster for balance due him for the erection of cells and other buildings connected with the penitentiary during the year 1843, after deducting the amount of the bonus due from him to the State on his lease of the penitentiary, due the tenth day of June, 1845, the sum of two thousand five hundred and eighty-two dollars and thirty-nine cents."

On motion of Mr. McMillan,

Said amendment was amended by striking out 'two thousand five hundred and eighty-two dollars and thirty-nine cents,' and adding in lieu thereof, 'three thousand five hundred and forty-three dollars and eight cents;' said amendment as amended, was then adopted.

On motion of Mr. Cavarly,

The bill was further amended by adding thereto the following:

"That there be allowed to Mr. Brayman for services rendered in the revision of the Laws, one thousand dollars."

On motion of Mr. Killpatrick,

The bill was further amended, by adding thereto the following:

"To N. M. Knapp for services as clerk to the joint committee on Education."

Mr. Constable moved to amend the bill by adding to it the following:

"That the Governor be and is hereby authorised to purchase from Henry G. Cotton, at a price not exceeding \$3,50 per volume, a sufficient number of his treatise on the power and duties of justices of the peace in the State of Illinois, to furnish the clerks of the county commissioners' courts of each county in this State, with a copy thereof, to be distributed with the laws of this session, and for the payment of the same, an amount sufficient is hereby set apart out of any money in the treasury of this State not otherwise appropriated."

On motion of Mr. Dougherty,

Said amendment was laid on the table.

On motion of Mr. Dougherty,

The bill was further amended, by adding thereto the following:

"To Walters & Weber, public printers, such sums as shall be due them for printing for the State, as fixed by law, to be paid on vouchers sworn to by them, or one of said firm, to be paid quarter-yearly, as the same becomes due, and all such vouchers shall be filed by the Auditor in his office."

On motion of Mr. Dougherty,

The bill was further amended by adding thereto the following:

"To the clerk of the Council of Revision, two dollars and fifty cents per day, while actually employed, to be certified by the Governor."

Mr. Cavarly moved that the bill be also amended by adding to it the following:

"To Samuel A. Buckmaster, two hundred and sixty-one dollars, the balance due him, as agent of the late Fund Commissioner, Gen'l. Whiteside."

Mr. Dougherty moved that the amendment be laid on the table.

On motion,

The Senate adjourned to half past 7 o'clock, P. M.

HALF PAST SEVEN O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Wynne, from the committee on Enrolled Bills, reported as correctly enrolled, "An act to incorporate the Sangamon and Morgan Railroad Company."

And that the same has been laid before the Council of Revision.

A message from the Council of Revision, by Mr. Hawley, their Secretary:

The Council of Revision have re-considered their vote on the bill entitled "An act to alter and amend the law concerning interest on money and usury," and have concluded that their objections can be obviated by a future Legislature; and owing to the circumstances that the bill has been returned at this late period of the session, and that there is no time or opportunity to rectify the defects which have been pointed out by the

Council; they therefore conclude to withdraw their objections for the present, and trust to the future action of the Legislature, to remedy such defects, and desire that the said bill, with the objections may be returned to them for their approval.

THOMAS FORD,
JAS. SHIELDS,
THOMAS C. BROWNE,
J. D. CATON,
S. H. TREAT,
R. M. YOUNG,
JESSE B. THOMAS,
WM. WILSON,
WALTER B. SCATES.

Mr. Forman moved that the order of business be suspended to permit him to offer an order, which he read.

And the question being taken upon such suspension, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Catlin, Cavarly, Constable, Dougherty, Dunlap, Edwards, Fithian, Forman, Harris, Harrison, Johnson, Killpatrick, Leviston, Markley, Matteson, McMillan, McMurtry, Morrison, Nunnally, Parker, Powers, Ruggles, Smith of Adams, Smith of Madison, Thompson, Vandeventer, Warren, Webb, Wilbanks, Worthington and Wynne—33.

Those voting in the negative, are,

Messrs. Buford, Henry, Judd, Mirard and Ryan—5.

Mr. Forman then offered said order, as follows:

“Ordered, That the House of Representatives be respectfully requested to return to the Senate, the bill entitled ‘An act to alter and amend the law concerning interest on money and usury,’ together with the objections of the Council of Revision made thereto.’”

And the question being taken upon its adoption, it was decided in the affirmative.

The question pending at the last adjournment, being upon the motion of Mr. Dougherty to lay on the table, the amendment proposing that certain pay be allowed to Samuel A. Buckmaster, offered by Mr. Cavarly, to the bill entitled “An act making appropriations for the years 1845 and 1846.”

Mr. Dougherty withdrew that motion.

Mr. Judd moved that the amendment be amended by striking out all after the word “to,” and adding the following in lieu of the part stricken out:

“S. J. Sherwood one hundred and twenty-nine dollars for levelling instruments and chains sold by the State to John Dixon.”

Mr. McMurtry moved that the amendment and the amendment to the amendment be laid on the table.

And the question being taken thereon, it was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Buford, Catlin, Constable, Dougherty, Dunlap, Fithian, Harris, Harrison, Henry, Johnson, Judd, Killpatrick, Markley,

McMillan, McMurtry, Minard, Morrison, Powers, Smith of Adams, Thompson, Warren, Waters, Wilbanks and Worthington—26.

Those voting in the negative, are,

Messrs. Cavarly, Edwards, Forman, Nunnally, Parker, Ruggles, Ryan, Smith of Madison, Vandeventer and Webb—10.

On motion of Mr. Cavarly,

The bill was amended by adding thereto the following:

“Sec—And the said compensation when due to the officers and members of the Senate, shall be certified by the Secretary thereof, with the exception of his own compensation, which shall be certified by the Speaker; and the compensation that may be due to the officers and members of the House of Representatives, shall be certified by the principal Clerk thereof, and that of the Clerk by the Speaker; which said certificates when made and signed as aforesaid, shall be sufficient evidence to the Auditor of each person's claim respectively, who shall issue his warrant on the treasury for the amount to which such person shall be entitled as aforesaid, to be paid out of any moneys in the treasury not otherwise appropriated.”

On motion of Mr. Dougherty,

The bill was further amended by adding thereto the following:

“That so much of the act making appropriations for the years 1843 and 1844, as relates to John B. Weber, be and the same is hereby repealed.”

The question then being taken on ordering said bill to a third reading as amended, it was decided in the affirmative.

On motion of Mr. Killpatrick,

The rule was dispensed with, said bill read a third time by its title and passed.

Ordered, That its title be as aforesaid, and that the Secretary ask the concurrence of the House of Representatives in the amendments of the Senate.

On motion of Mr. Markley,

The order of business was suspended, and the bill from the House of Representatives entitled “An act in relation to the county seat of Fulton county,” was taken up, read, and

Ordered to a second reading.

On motion of Mr. Markley

The rule was dispensed with, said bill read a second and third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Edwards asked and obtained leave to withdraw from the files of the Senate the accounts of S. M. Tinsley & Co.

On motion of Mr. Cavarly,

The order of business was suspended, and chapter 42 of the Revised Statutes was taken up, and

Ordered to be engrossed for a third reading.

On motion of Mr. Coastable,

The rule was dispensed with, said chapter read a third time by its title, and passed.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

A message from the House of Representatives, by Mr. Gregg, a member of the House:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in the passage of a bill for "An act to fix the times of holding courts in the seventh and ninth judicial circuits;" as amended by the House.

In which amendment they ask the concurrence of the Senate.

Mr. Parker moved to suspend the order of business, which was not agreed to.

The orders of the day were taken up:

The bill entitled "An act concerning the counties of Union, Alexander and Pulaski," as amended by the House of Representatives was read, and the amendments of the House of Representatives concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill entitled "An act for the relief of certain settlers on State lands," as amended by the House of Representatives, was

On motion of Mr. Edwards,

Laid on the table.

On motion of Mr. Constable,

Chapter 47 of the Revised Statutes was taken up.

Mr. Webb moved to amend the 1st section by striking out the proviso; which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Catlin, Cavarly, Constable, Dougherty, Dunlap, Edwards, Fithian, Forman, Harris, Harrison, Henry, Johnson, Killpatrick, Leviston, Markley, McMurtry, Morrison, Nunnally, Parker, Powers, Ruggles, Smith of Adams, Thompson, Vandeventer, Warren, Waters, Webb and Wynne—29.

Those voting in the negative, are,

Messrs. Boal, Buford, Judd, Matteson, Minard, Ryan, Smith of Madison and Worthington—8.

Mr. Judd moved to amend the chapter as follows:

Sec.—Provided, that on all sums of money actually loaned and delivered, the parties may by agreement reserve and take any rate of interest not exceeding twelve per centum per annum; provided further, that the question of its being for money actually loaned, may be put in issue, tried and determined in the same manner that the question of usury may be.

Mr. Dougherty moved to lay the proposed amendment on the table; which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Catlin, Cavarly, Constable, Dougherty, Dunlap, Edwards, Fithian, Forman, Harris, Harrison, Johnson, Killpatrick, Leviston, Markley, McMurtry, Morrison, Nunnally, Parker, Powers, Ruggles, Smith of Adams, Thompson, Vandeventer, Warren, Waters, Webb and Wynne—28.

Those voting in the negative, are,

Messrs. Boal, Buford, Henry, Judd, Matteson, Minard, Ryan, Smith of Madison and Worthington—9.

Said chapter as amended, was

Ordered to a third reading.

On motion of Mr. Nunnally,

The rule was dispensed with, said chapter read a third time as amended, and passed.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

A message from the House of Representatives, by Mr. Lott, a member of the House:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have refused to re-pass by a constitutional majority, a bill for "An act to alter and amend the law concerning interest on money and usury," with the objections of the Council of Revision to the contrary notwithstanding.

I am also directed to return the said bill in accordance with the request of the Senate.

Mr. Cavarly moved the adoption of the following order, to wit:

Ordered, That the Secretary be directed to return to the Council of Revision the bill for "An act to alter and amend the law concerning interest on money and usury," together with the objections of the Council to said bill, in accordance with the request of the Council; as also the message last received from the House of Representatives in reference to said bill; which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Catlin, Cavarly, Constable, Dougherty, Dunlap, Edwards, Forman, Harris, Harrison, Johnson, Killpatrick, Markley, McMurtry, Morrison, Nunnally, Parker, Powers, Ruggles, Smith of Adams, Thompson, Vandeventer, Warren, Waters, Webb and Wynne—27.

Those voting in the negative, are,

Messrs. Buford, Fithian, Henry, Judd, Ryan, Smith of Madison and Worthington—7.

A message from the House of Representatives, by Mr. Boyakin, a Representative:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that the House has concurred with the Senate in the passage of Chapter 42 of Revised Statutes.

The bills entitled "An act authorizing Administrators and Executors from other States to prosecute suits in this State;" and

"An act to fix the times of holding courts in the seventh and ninth judicial circuits," as amended by the House of Representatives were severally read, and the amendments to said bills concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Speaker laid before the Senate the following communications from the Governor, and announced that the same were upon executive business. The same were acted upon with open doors, and read as follows:

EXECUTIVE DEPARTMENT,
Springfield, March 1, 1845.

To the Senate:

I nominate William Hulen to be Notary Public, in and for that part of the town of Rockford, which lies on the west side of Rock river, in the county of Winnebago, in pursuance of a petition of fifty voters.

THOMAS FORD.

EXECUTIVE DEPARTMENT.

To the Senate:

I nominate Robert Dunlap, Thomas Clifford and John A. Maxcey of the county of Madison to be inspectors of the Penitentiary.

G. D. A. Parks to be Notary Public in and for the town of Lockport, in Will county, in place of E. B. Ames removed from the county.

J. E. Johnson to be Notary Public in and for the town of Macedonia, in the county of Hancock, in pursuance of the petition of fifty voters.

John J. Barnett to be an additional Notary Public in the town of Nauvoo, in the county of Hancock, in pursuance of the petition of fifty voters, and

Henry W. Moore to be agent for the Gallatin county Salines and Saline lands.

THOMAS FORD.

On motion of Mr. Cavanly,

Said nominations were advised and consented to by the Senate, except the nomination of Henry W. Moore, to be agent for the Gallatin county Salines and Saline lands.

Mr. Leviston moved to lay the nomination of Henry W. Moore, as agent, &c., on the table; which was not agreed to.

On motion of Mr. Dougherty,

The nomination of Henry W. Moore, to be agent for the Gallatin county Salines and Saline lands was advised and consented to by the Senate.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in their amendment to the resolution relative to the printing of all laws of a general nature, &c.

The House have also concurred with the Senate in the passage of "An act for the relief of the estate of Robert Davis;" and

"An act to revive certain acts therein named."

The House have refused to order to a third reading Senate bills for "An act to locate a State road from Toulon, in Starke county, to Oquawka, in Henderson county;" and

"An act concerning estrays."

On motion of Mr. Edwards,

The following resolution was unanimously adopted, the chair being occupied meanwhile by Mr. Harrison:

Resolved, That the thanks of this body be unanimously tendered to the Hon. Lieutenant Governor, for the very able, impartial and dignified manner in which he has discharged his duties while presiding over the deliberations of the Senate during the present session.

The bill entitled "An act to promote a more faithful discharge of the duties of probate justices of the peace," was read, and

Ordered to a second reading.

On motion of Mr. Webb,

The rule was dispensed with, said bill read a second time by its title, and

Referred to the committee on the Judiciary.

The bill entitled "An act to enable the several townships in this State to receive their shares of the school funds when such townships have neglected to return the number of children therein," was read and

On motion of Mr. Cavarly,

Laid on the table.

A message from the House of Representatives, by Mr. McDonald, their Assistant Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in sundry of their amendments to the bill for "An act making appropriations for the years 1845 and 1846," as amended by the House.

The House have concurred with the Senate in certain other amendments to said bill, and refused to concur in others.

In which amendments to the Senate's amendments they ask the concurrence of the Senate.

Mr. Warren moved to suspend the order of business and take up the message just received; which was decided in the negative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Allen, Boal, Buford, Dougherty, Edwards, Fithian, Henry, Judd, Killpatrick, Markley, Matteson, McMillan, Minard, Morrison, Parker, Powers, Ryan, Smith of Madison, Webb and Worthington—20.

Those voting in the negative, are,

Messrs. Cavarly, Dunlap, Forman, Harris, Harrison, Johnson, Leviston, McMurtry, Nunnally, Ruggles, Smith of Adams, Thompson, Vandeventer, Warren and Wynne—15.

Bills from the House of Representatives on their first reading.

"An act to change certain names herein mentioned;"

"An act authorising county commissioners' courts to provide for the safe keeping and preserving all the public records belonging to the said counties;"

"An act to authorise the county commissioners of Warren county to settle with Daniel McNeil;"

"An act to suspend 'An act therein named;'"

"An act to authorise the town of Peoria to construct water works;"

"An act to incorporate the Springfield lodge No. 4, of free and accepted Masons;"

"An act to vacate the town plat of Romeo in the county of Will;"

"An act to incorporate the Warrenville Seminary in the county of Du Page;"

"An act for the benefit of James Hood, a minor;"

"An act to legalize the acknowledgment of the town plat of Rockford, on the west side of Rock river;"

"An act to authorise the city of Galena to levy a tax;"

"An act to incorporate the Mount Palatine Academy;"

"An act for the relief of the collectors of the counties of Randolph, Monroe and other counties;"

"An act concerning public roads;"

"An act requiring the collector of Champaign county to pay over certain moneys upon the Auditor's Warrant;"

"An act to vacate the town plat of Sangamon town;"

"An act to repeal certain acts therein named;"

"An act for the benefit of Thomas H. Campbell;"

"An act to authorise justices of the peace to take recognizances in certain cases;"

"An act in relation to schools in township nineteen north, of range nine east, in Champaign county;"

"An act to vacate the town plat of the town of Enterprise;"

"An act to authorise Stephen Forbes to construct a dam across the Des Plaines river, in Cook county;"

"An act for the re-survey of the towns of Waterloo and Columbia;"

"An act to incorporate the Decatur Cemetery Association;"

"An act to legalize the acts of the commissioners in locating a State road from Belvidere to Little Fort;"

"An act to authorise the construction of a toll bridge across the Illinois river;"

"An act to incorporate the Warrenville Cemetery Association;"

"An act relating to town plats therein named;"

"An act to authorise the county commissioners' court of Jefferson to establish an additional justices district in said county;"

"An act to define and establish the boundary lines of State street in the city of Chicago;"

"An act to limit the tenure of the office of Master in Chancery;"

"An act to authorise Titus Howe to construct a mill dam across Fox river, in Kendall county;"

"An act to authorise Masters in Chancery to grant writs of certiorari;"

"An act to establish the county line dividing Gallatin and Hardin counties," were severally read, and

Ordered to a second reading.

On motion the rule was dispensed with, said bills were severally read a second time by their titles and

Ordered to a third reading.

On motion the rule was dispensed with, said bills severally read a third time by their titles and passed.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill, entitled "An act for the formation of the county of Van Buren," was read, and

Ordered to a second reading.

On motion of Mr. Parker,

The rule was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

The bill, entitled "An act to re-annex the county of Cumberland to the county of Coles, and for other purposes," was read, and

Ordered to a second reading.

Mr. Parker moved to suspend the rule, and that said bill be now read a second time; which was not agreed to.

The bill, entitled "An act to prevent the stealing and enticing away of slaves from slave States," was read, and

Ordered to a second reading.

On motion of Mr. Dougherty,

The rule was dispensed with, and said bill read a second time by its title.

Mr. Henry moved to refer said bill to the committee on the Judiciary; which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Boal, Edwards, Fithian, Harrison, Henry, Judd, Killpatrick, Matteson, McMillan, McMurtry, Minard, Powers, Ruggles, Ryan, Smith of Madison, Thompson, Webb and Worthington—17.

Those voting in the negative, are,

Messrs. Allen, Buford, Catlin, Cavarly, Dougherty, Dunlap, Harris, Johnson, Leviston Markley, Morrison, Nunnally, Parker, Vandeventer, Warren and Wynne—16.

Mr. Parker, from the committee on Enrolled Bills, reported as correctly enrolled, a preamble and resolutions; and a bill, entitled

"An act concerning the counties of Union, Alexander, Pulaski, Washington and Clinton."

And that the same has been laid before the Council of Revision.

Mr. Dougherty moved that the order of business be suspended, in order to take up the bill, entitled "An act making appropriations for the years 1815 and 1816;" which was not agreed to.

The bill, from the House of Representatives, entitled "An act to repeal an act, entitled 'An act to incorporate the Beardstown and Sangamon Canal Company,'" was read, and

Ordered to a second reading.

And the rule having been, on motion, dispensed with, said bill was read a second time by its title, and,

On motion of Mr. Wynne,

Said bill was amended, by adding to the same the following:

"Sec. 2. *And be it further enacted*, That the surviving commissioners of said Canal Company, to wit: Archibald Job, James Arenz, Thomas Wilbourn, Thomas Beard, Allen F. Lindsey, John Taylor and Charles Broadwell, shall, within one year from the passage of this act, deliver over to the Secretary of State all records, journals, minutes of proceedings of said company, and also all plats, drawings, diagrams of survey by engineers, estimates of costs of said canal, and all books of subscription to stock in said canal company, and a full and correct statement of all receipts and expenditures by said company, specifying from whom moneys were received, to whom paid out, and the purposes for which the same was done, and all the papers and documents relating to said canal. And the existence of said Beardstown and Sangamon canal company shall continue, and the acts creating said company shall be in force until the commissioners aforesaid or said canal company shall comply with the provisions of this section."

Ordered, That the bill be read a third time, as amended.

On motion, the rule was dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary ask the concurrence of the House of Representatives, in said amendment.

The bill from the House of Representatives, entitled "An act to aid in the removal of obstructions to the navigation of the Sangamon river, with keel and flat boats," was read,

And the question being put—"Shall the bill be read a second time?"

It was decided in the negative.

A message from the House of Representatives, by Mr. Cloud, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in the adoption of their preamble and resolutions on the subject of Rhode Island affairs.

Mr. Wynne, from the committee on Enrolled Bills, reported as correctly enrolled, bills entitled

"An act to fix the times of holding courts in the Seventh Judicial Circuit;"

"An act to revive certain acts therein named;"

"An act for the relief of the estate of Robert Davis;"

Chapter 42 of Revised Statutes;

And that the same have been laid before the Council of Revision.

A message from the House of Representatives, by Mr. Boyakin, a Representative:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that the House has concurred with the Senate in the passage of chapter 47 of the Revised Statutes, as amended by the House of Representatives.

In which amendments I am directed to ask the concurrence of the Senate.

On motion of Mr. Webb,

The order of business was suspended, and chapter 47 of Revised Statutes, entitled "interest," just returned from the House of Representatives, as amended by them, was taken up for consideration.

Mr. Wynne, from the committee on Enrolled Bills, reported as correctly enrolled, a bill entitled "An act to fix the times of holding courts in the Seventh Judicial Circuit;"

And that the same had been laid before the Council of Revision.

Mr. McMurtry called for a division of the question, upon concurring with the House of Representatives in their amendments to the chapter under consideration, so as to vote first upon concurring with the House, in striking out the 9th and 10th sections.

The question being so taken, on striking out, it was decided in the affirmative.

The question being taken, on concurring with the House of Representatives, in their additional section, it was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act concerning the Sangamon river," with an amendment of the Senate, as amended

by the House, was taken up, and the amendment of the House to said amendment, concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act making appropriations for the years 1845 and 1846," with certain amendments of the Senate, as amended by the House of Representatives, and others in which the House refused to concur, coming up for consideration;

On motion of Mr. Dougherty,

The Senate receded from its said amendments, in which the House of Representatives refused to concur.

And the question being taken on concurring with the House of Representatives in their amendments to the Senate's amendments, it was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion,

The Senate adjourned to Monday morning next, at 8 o'clock.

MONDAY, MARCH 3, 1845.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Trotter.

Mr. Cavarly, from the committee on the Judiciary, to which was referred a bill from the House of Representatives, entitled "An act to promote the more faithful discharge of the duties of probate justice of the peace," reported the same back, with amendments.

A message from the House of Representatives, by Mr. Ross, a member of the House:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in the passage of a bill for "An act to dispose of lands stricken off to the State for taxes, and for other purposes," as amended by the House.

In which amendments they ask the concurrence of the Senate.

A message from the House of Representatives, by Mr. Davis of McLean, a Representative:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in the passage of a bill, entitled "An act to diminish the State debt and put the State Bank into liquidation;"

And to amend "An act, entitled 'An act to reduce the State debt one million of dollars, and to put the Bank of Illinois into liquidation,'" as amended by the House.

In which amendment, they ask the concurrence of the Senate.

The House of Representatives have also concurred with the Senate, in the passage of a bill, entitled "An act to provide for the collection of certain moneys therein named."

Mr. Harrison moved a call of the Senate; which proceeded for some time, and was,

On motion of Mr. Edwards,

Dispensed with.

A message from the House of Representatives, by Mr. Aldrich, a Representative:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have adopted the accompanying resolution, authorizing the Governor to appoint a Prosecuting Attorney for the Jo Daviess county court, to hold his office until otherwise provided by law, without any compensation from the State, &c.

In the adoption of which, they ask the concurrence of the Senate.

The question was then taken upon concurring with the committee on the Judiciary, in the amendments, reported by them, to the bill before the Senate, and decided in the affirmative.

Ordered, That said bill be read a third time, as amended.

On motion of Mr. Cavarly,

The rule was dispensed with, said bill read a third time by its title, and passed.

On motion of Mr. Cavarly,

The title of said bill was amended, by adding to it the words, "and for other purposes."

Ordered, That the title be as amended, and that the Secretary ask the concurrence of the House of Representatives in the amendments of the Senate.

On motion of Mr. Cavarly,

Ordered, That the Secretary be required to inform the House of Representatives that an amendment of the Senate to the bill, entitled "An act making appropriations for the years 1845 and 1846," proposing that the provision in said bill allowing to J. C. Duncan three hundred and fourteen dollars, be stricken out; and to ask the concurrence of the House of Representatives in said amendment.

On motion of Mr. Cavarly,

The order of business was suspended, and chapter 61 of Revised Statutes was taken up for consideration, read, and

Ordered to a second reading.

On motion of Mr. Harris,

The rule was dispensed with, said chapter read a second time by its title, and

Ordered to a third reading.

And the rule having been further dispensed with, said chapter was read the third time by its title, and passed.

Ordered, That the Secretary inform the House of Representatives thereof.

A message from the Council of Revision, by Mr. Hawley, their Secretary:

Mr. Speaker: I am directed to inform the Senate that the Council of Revision has approved bills of the following titles:

"An act to incorporate the Chicago and Juliet Turnpike Company;"

"An act to incorporate the Alton Cemetery;"

"An act to authorize the county of Marshall to transcribe records from Putnam county;"

"An act to authorize the appointment of Commissioners in other States;"

"An act to incorporate the town of Golconda;"

"An act to incorporate the Henderson county Turnpike Road Company;"

"An act supplementary to an act to establish and maintain common schools;"

"An act to re-locate the public square in the town of Plainfield, Will county, Illinois;"

"An act concerning the town of Aurora, in Kane county;"

"An act to authorize Peck and Carpenter to build a mill dam across Fox river;"

"An act to change the name of the town of Fairfield, in Pike county, to that of Pleasant Hill;"

"An act to legalize the transcribed records of Madison county for lands situate in the county of McDonough;"

"An act to incorporate the Rock river Dam and Bridge Company, and improve the navigation of said river;"

"An act to save a portion of the revenue from being lost;"

"An act to amend 'An act to provide for the election of probate justices of the peace;'"

"An act concerning the location of a road therein mentioned;"

"An act for the relief of John Cooper, collector of revenue for Madison county for 1841;"

"An act in relation to certain mill-dams in the Little Wabash river;"

"An act to legalize the acts of William E. Franklin, a notary in Rock Island county;"

"An act to vacate a part of the town plat of the town of Perry in the county of Pike;"

"An act to authorize William Clapp and John Hodges to collect taxes;"

"An act to amend an act, entitled 'An act regulating the mode of taking depositions and to provide for the perpetuity of testimony;"

"An act to incorporate the Sangamon and Morgan Railroad Company;"

"An act to revive certain acts therein named;"

"An act for the relief of the estate of Robert Davis;"

"An act concerning the counties of Union, Alexander, Pulaski, Clinton and Washington;"

"An act authorizing administrators and executors from other States to prosecute suits in this State."

Mr. Parker, from the committee on Enrolled Bills, reported as correctly enrolled a bill entitled "An act authorizing administrators and executors from other States to prosecute suits in this State;" and

Chapter 47 of Revised Statutes, title "interest."

And that the same have been laid before the Council of Revision.

A message from the House of Representatives, by Mr. Cloud their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with the Senate in their amendment to the bill for "An act making appropriations for the years 1845 and 1846, as requested in the order of the Senate of this day.

On motion of Mr. Markley,

The order of business was suspended, and the bill, entitled "An act to

dispose of lands stricken off to the State for taxes, and for other purposes," was taken up and the amendment of the House of Representatives, made thereto, concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion of Mr. Dougherty,

The order of business was further suspended, and the following resolution, offered by him, read and adopted:

Resolved by the Senate and House of Representatives, That a committee of two on the part of the Senate and three on the part of the House of Representatives, be appointed to wait on his Excellency the Governor, and learn from him whether he has any further communications to make to this General Assembly, and report at their earliest convenience to the two Houses.

Ordered, That Messrs. Dougherty and Harrison be the committee on the part of the Senate.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion of Mr. Edwards,

The order of business was further suspended, and the bill, entitled "An act to amend an act, entitled 'An act to diminish the State debt, and put the State Bank into liquidation,' and to amend "An act, entitled 'An act to reduce the State debt one million of dollars, and to put the Bank of Illinois into liquidation,'" was taken up, and the amendments of the House of Representatives, made thereto, concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Crain, from the select committee, to which was referred the bill, entitled "An act regulating mileage and charges of physicians, in their professional practice," reported the same back, without amendment.

On motion of Mr. Crain,

The bill was laid on the table.

Mr. Matteson, on leave, offered the following:

Ordered by the Senate, the House of Representatives concurring herein, That the Secretary of State be allowed two hundred dollars per annum for clerk hire; which was,

On motion of Mr. Henry,

Laid on the table until the 4th of July next.

On motion of Mr. Harrison,

The resolution from the House of Representatives, authorizing the Governor to appoint a Prosecuting Attorney for the Jo Daviess county court, &c., was taken up and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

The orders of the day were taken up:

Bills from the House of Representatives, entitled

"An act for the formation of the county of Van Buren;"

"An act to re-annex the county of Cumberland to the county of Coles, and for other purposes;" and

"An act for the relief of James Mitchell;"

Were severally read, and,

On motion of Mr. Constable,

Laid on the table.

The bill, entitled "An act for the relief of Thomas Brown," was read, and,

On motion of Mr. Nunnally,

Laid on the table.

The bill, entitled "An act to authorize the county commissioners of Stark county to sell lots in the town of Toulon," was read, and,

On motion of Mr. Cavarly,

Laid on the table.

A message from the House of Representatives, by Mr. Cloud, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with the Senate in the adoption of their resolution appointing a joint select committee to wait upon the Governor, &c.

The House have appointed Messrs. Ross, Whiteside and Davis of McLean, the committee on their part.

The bill, entitled "An act to authorize the assessment and collection of taxes, in the Rochester school district," was read, and

Ordered to a second reading.

On motion of Mr. Edwards,

The rule was dispensed with, said bill read a second time by its title, ordered to a third reading, and the rule having been further dispensed with, read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the concurrence of the Senate.

The bill, entitled "An act to prevent trespassing on State Lands," was read, ordered to a second reading, and the rule having been dispensed with,

On motion of Mr. Judd,

Read a second time by its title.

A message from the Council of Revision, by Mr. Hawley, their Secretary:

Mr. Speaker: I am directed by the Council of Revision to lay before the Senate, the following, with the accompanying papers:

The Council have had under re-consideration, the bill entitled "An act to alter and amend the law concerning interest on money and usury, and return the same to the Senate as improper to become a law of this State, for the reason that an act has been passed on the same subject, which has been approved by the Council. This bill consequently becomes wholly unnecessary.

THOMAS FORD,
SAMUEL D. LOCKWOOD,
R. M. YOUNG,
JAS. SHIELDS,

March 3, 1845.

Being a majority of the Council of Revision now present.

A message from the House of Representatives, by Mr. Cloud their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House have concurred with the Senate in their amendments to the House bill, for "An

act to promote a more faithful discharge of the duties of probate justices of the peace."

They concur in the Senate's amendment to the title of said bill.

Mr. Wynne from the committee on Enrolled bills reported as correctly enrolled a bill for "An act to provide for the collection of certain moneys therein named;" and that the same has this day been laid before the Council of Revision.

Mr. Johuson moved that the bill, under consideration, being the one entitled "An act to prevent trespassing on State lands," be amended by adding thereto the following:

"Sec. —. The fees of the Clerk of the Supreme Court, Clerk of the Circuit Courts, Clerks of the County Commissioners' Courts, Probate Justices of the Peace, County Recorders, County Commissioners, Sheriffs and Coronors, shall be hereafter reduced twenty-five per cent. on each item now allowed by law.

And the question being taken on the adoption of the amendment, it was decided in the negative.

Ordered, That the bill be read a third time.

On motion of Mr. Judd,

The rule was dispensed with, said bill read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the concurrence of the Senate.

Mr. Dougherty, from the joint select committee, who were appointed to wait on his Excellency and learn from him whether he had any further communications to make to this General Assembly, reported that the committee of the two Houses had waited on his Excellency, and had learned from him, that he had no further communications to make to this General Assembly.

On motion of Mr. Thompson,

The order of business was suspended, and the bill from the House of Representatives, a short time since laid on the table, entitled "An act to authorize the county commissioners of Stark county to sell lots in the town of Toulon," was taken up, and

Ordered to a second reading.

On motion of Mr. Thompson,

The rule was dispensed with, said bill read a second time by its title, ordered to a third reading, and the rule having been again dispensed with, read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled, "An act to regulate the salaries, and compensation of the several officers and persons therein mentioned," coming up for consideration, the same was,

On motion of Mr. Leviston,

Laid on the table.

On motion of Mr. Dougherty,

Resolved, That the Secretary of the Senate inform the House of Representatives, that they are now through with the business of the Senate and are ready to adjourn *sine die*.

A message from the Council of Revision, by Mr. Hawley, their Secretary:

Mr. Speaker: I am directed to inform the Senate, that the Council of Revision have approved bills of the following titles, to wit:

"An act to provide for the collection of certain moneys therein named;"

"An act to fix the times of holding courts in the seventh judicial circuit."

Mr. Wynne, from the committee on Enrolled Bills, reported as correctly enrolled "An act to amend an act entitled 'An act to diminish the State debt and put the State Bank into liquidation,' and to amend an act entitled 'An act to reduce the public debt, one million of dollars and to put the Bank of Illinois into liquidation;'"

"An act in relation to the school fund of Fulton and Union counties, and for other purposes," and that the same have been laid before the Council of Revision.

A message from the Council of Revision by Mr. Hawley their Secretary:

Mr. Speaker: I am directed to inform the Senate, that the Council of Revision have approved bills of the following titles:

"An act to amend an act entitled 'An act to diminish the State debt and put the State Bank into liquidation,' and to amend an act entitled 'An act to reduce the public debt one million of dollars, and to put the Bank of Illinois into liquidation;'"

"An act for the relief of J. L. Reddick and Margaret Reddick;"

"An act in relation to the school fund of Fulton and Union counties and for other purposes;"

A message from the House of Representatives, by Mr. Lott, a Representative:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have adopted the following resolution:

Resolved, That the Clerk inform the Senate, that the House of Representatives are now ready to adjourn *sine die*, in pursuance of the joint resolution of the two Houses, adopted some days since, fixing this as the time of adjournment.

Mr. Speaker addressed the Senate as follows:

"GENTLEMEN OF THE SENATE: The time for your dissolution as a deliberative body, and the close of your legislative labors, are near at hand; and, although I had not expected to have troubled you with a single remark on the occasion, I now ask your indulgence; for, as the moment approaches, I find that my feelings strongly urge me to detain you yet a little longer, ere we finally separate.

The labors of the session have been arduous and complicated, but your deliberations have been conducted with harmony, courtesy and kindness towards each other. It has been my good fortune, gentlemen, to be associated with many of you in a legislative capacity in this or the other branch of the Legislature for several years past, and from yourselves, as also from those gentlemen, who have more recently been honored with seats in this body, I have on many occasions been the recipient of friendship and kindness.

As your presiding officer, I acknowledge with pride and pleasure the assistance, the courtesy and kind forbearance, which have been extended to

me by the Senate. When difficulties have surrounded me, I have been encouraged and sustained by your indulgence: and certainly such indulgence could not have been extended to me from any merit of my own: No, gentleman, your kindness has arisen from the opinion you entertained that I have been actuated by honest intentions, and that opinion I hope never to forfeit. It is more precious to me than any other consideration.

And gentlemen, permit me to say in sincerity that if I know myself, not an unkind thought is entertained by me against any one of you, but on the contrary, you will collectively and individually return to your families, your friends and constituents with my kindest regards and best wishes for your prosperity and happiness, the enjoyment of health, length of days and future usefulness."

Mr. Speaker then in pursuance of the resolution of the two Houses of the General Assembly, pronounced the Senate to be adjourned, *sine die*.

M. L. COVELL,

Secretary of the Senate.

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